CODES

OF

THE FINANCIAL DEPARTMENT.

CIVIL PENSION CODE.

CIVIL LEAVE CODE.

ACTING ALLOWANCE CODE.

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THE CIVIL PENSION COD

FORT WILLIAM.

FINANCIAL DEPARTMENT.

The 1st December 1876.

In this the third authorised edition of The Civil Pension Code, no changes, other than verbal or unimportant tions, are introduced that have not been separately i From this date the second edition will be superse should no longer be quoted. Corrections and additio fied hereafter should be entered in their proper place

2. As before, orders which apply only to particu dividuals named in them are not included in the Co will remain in force, apart from it.

3. Otherwise, the claims of persons now in the ci vice of the Government will be determined only Rules in this Code.

R. B. CHAPMAN,
Secretary to the Government of India.

THE CIVIL PENSION CODE.

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THE CIVIL PENSION CODE.

CHAPTER I.

DEFINITIONS.

Section 1.—In this Code, unless there be something repugnant in the subject or context— Interpretation clause.

(*a*).—"Local Government" includes a Department of the Government of India, a Chief Commissioner, the Resident at Hyderabad, and the Agents to the Governor General in Rajputana and Central India. Local Government.

(*b*).—"Qualify" and "count" mean "qualify" and "count" for pension or gratuity under this Code. Qualify and Count.

(*c*).—Service is said to be "pensionable" when it qualifies: and an office is said to be "pensionable" when service therein counts. Pensionable service and pensionable office.

(*d*).—When pension or gratuity is said to be chargeable to several accounts according to the "rule of proportions," the meaning is that the charge should be debited to such several accounts, in the proportions in which the aggregate salary drawn by the officer during the whole of his qualifying service has been paid from them. Rule of proportions.

(*e*).—"Pay" means "substantive pay." "Salary" means the sum of "pay" and "acting allowance." Pay and salary.

(*f*).—A "Local Allowance" is an allowance, not specially declared to be "pay" or "salary," given to an officer in addition to the regular pay or salary of his appointment, either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work. A local allowance is given in full to the officer actually present on duty, and is not taken into account in calculating leave allowances or pension. Local allowance.

(*g*).—"General Revenues" includes provincial revenues and the revenues of Mysore and the Berars. General revenues.

(*h*).—"Local Fund."—When revenue derived from special sources is devoted to specified objects, and not to the Local Fund

general purposes of the administration, whether imperial or provincial, the revenue so devoted forms a "Local Fund."

(*k*).—"Covenanted Civil Service" means the Bengal, Madras and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a member of the Covenanted Civil Service.

(*l*).—An "Uncovenanted Officer" is a public servant not belonging to the Covenanted Civil Service or the Army.

CHAPTER II.

EXTENT OF APPLICATION.

Application of the Code.

Section **2**.—The Rules in this Code and its Supplements apply to all public officers, except the following, who are under Military Rules:

(*a*).—Officers and men in the Army or in the Navy (including Covenanted Medical officers).*

(*b*).—Officers of the Subordinate Medical Department.

Section **3**.—The general provisions of the Code do not apply to the undermentioned officers, whose pensions and gratuities are regulated by the special Rules contained in the Supplements:

(*a*).—Officers of the Covenanted Civil Service.

(*b*).—Judges of the High Courts of Judicature.

(*c*).—Chaplains.

(*d*).—Members of the Bengal Pilot Service.

1. The Rules in Chapter VII, however, apply to officers of the Covenanted Civil Service.

Option of old rules.

Section **4**.—The following officers are allowed an option (which can be exercised once only), between the Rules embodied in this Code (which, for the most part, came into force on the 8th June 1863) and the Rules which previously applied to them:

(*a*).—Covenanted Civil Engineers of the Public Works Department and Civil Officers of the Telegraph Department, whose covenants are dated before the 8th June 1863, may elect between the Rules in this Code and the Rules which were in force when they executed their covenants, and which are set forth in Appendix B 1.

Provided that, if they elect the latter, they must abide also by the Leave Rules which were in force before

* The Code applies to all officers employed under the Military Department whose service is not pensionable under Military Rules.

the 8th June 1863, excepting the Rules for privilege leave and subsidiary leave, which kinds of leave are regulated, in all cases, by the Civil Leave Code and Supplement F.

(*b*).—Marine Engineers in Bengal and Bombay, engaged under covenant in England, before the abolition of the Indian Navy, may elect to serve under the Rules in this Code, and the Leave and other Rules in force for Uncovenanted Officers generally, or under the terms of their covenants.

[NOTE—An Engineer engaged under covenant in England before the abolition of the Indian Navy, who elects the Rules in this Code and the Leave Rules in force for Uncovenanted Officers generally, does not forfeit the rights in other respects secured to him by his covenant]

CHAPTER III.

GENERAL PRINCIPLES, AND GENERAL EXCEPTIONS.

Application of rules

Section 5.—An officer's claim to pension or gratuity is governed by the Rules in force at the time when he resigns, or is discharged from, the service of Government. No officer has any claim to a benefit granted after his resignation or discharge.

Service under military rules

Section 6.—Service which is pensionable under Military Rules does not count. An officer who is counting service for military pension cannot, simultaneously, count service for civil pension.

Examples.—An officer who has served in the Indian Navy, if he afterwards enters civil employ, cannot count his naval service. A non-commissioned officer or private soldier, employed in the Civil Department, cannot begin to count his service for civil pension until he has taken his discharge from the Army.

Exceptions

Exceptions.—(1). Military Hospital Assistants and enlisted Native Doctors are excluded, by this Section, from pension or gratuity under this Code; but a Military Hospital Assistant or Native Doctor, if promoted to be an Assistant Surgeon, counts service from the date on which he passed his examination as Hospital Assistant.

(2). Those Inspectors in the Telegraph Department who came from England as Artificers in 1853, and did not take their discharge from the Army till about 1863, count their departmental service.

(3). In the Public Works Department, Warrant Officers in the grades of Conductor and Sub-Conductor, and non-commissioned officers, are obliged, when promoted to the Engineer establishment, to take their discharge from the Army, and their whole departmental service then qualifies.

(4). A soldier in civil employ who takes his discharge from the Army is entitled to count his departmental service for one year before his discharge. A soldier who was in civil employ on the 17th October 1872, and who took his discharge from the Army before the 1st November 1873, or, if he was in the Public Works Department, before the 1st November 1874, counts his whole departmental service. A soldier in civil employ who took his discharge from the Army before the 17th October 1872 is also entitled to count his departmental service. A native soldier employed in the Public Works Department, if he took his discharge from the Army before the 31st December 1875, counts his whole departmental service.

[NOTE.—This Rule does not apply to soldier-clerks in military offices. *See G. G. O. by the Military Department, No.* 1292, *dated 22nd December* 1875.]

1. A soldier in civil employ may not take his discharge from the Army without the consent of his civil departmental superior.

Cumulative pensions inadmissible.

Section 7.—An officer cannot earn two pensions or gratuities in the same office at the same time, or by the same continuous service.

Two claims for one office inadmissible

Section 8.—Two officers may not count service for pension or gratuity simultaneously in respect to one office.

Example.—An officer appointed to an office substantively *pro tempore* in place of an officer deputed temporarily to fill an office which is not pensionable may not count his service in such appointment for pension, unless the deputed officer vacates, for the time, his claim to pension in respect to his own office.

Persons paid for specific services

Section 9.—Pension or gratuity is not earned by a person whose whole time is not retained for the service of Government, merely because he is paid by Government for work done for it.

Examples.—This Rule applies to the following officers among others:—Advocate General. Solicitor to Government. Government Pleaders and Law Professors not debarred from private practice. Sheriffs and Deputy Sheriffs in presidency towns. Coroners. Roman Catholic Priests. Church clerks and other church servants.

1. Service as Deputy Sheriff of Bombay qualified under an order in the Financial Department, No. 10300, dated the 26th February 1867. This order was withdrawn on the 11th December 1871. But officers who held the appointment between these dates count the whole of their service in it.

Officers holding non pensionable offices in addition to pensionable offices.

Section 10.—On the same principle, a public servant who holds some other pensionable office earns no pension or gratuity in respect of an office of the kind mentioned in Section 9, or in respect of duties paid for by a local allowance.

Section **11.**—Service under a covenant which contains no stipulation regarding pension or gratuity does not qualify, unless the Government of India specially permits it to qualify.

Service under covenant.

Section **12.**—An officer who is appointed for a limited time only, or for a specified duty on the completion of which he is to be discharged, has no claim to pension or gratuity.

Service for a time only.

Section **13.**—Service as an apprentice, or, in Bengal, as a supernumerary Assistant Surgeon, does not qualify; and except for compensation gratuity, superior service before completion of twenty-two years of age, does not qualify. But this restriction does not apply to officers appointed to the service under the regulations of the Royal Indian Engineering College at Cooper's Hill, or specially educated in Europe for the Forest Department under Regulations made by the Secretary of State.

Service under twenty-two or as an apprentice.

Section **14.**—The service of an officer appointed to the service under the regulations of the Royal Indian Engineering College at Cooper's Hill, or specially educated in Europe for the Forest Department under Regulations made by the Secretary of State, counts from the date of the despatch appointing him to the service unless any special date of appointment be fixed in the despatch announcing it to the Government of India. But this privilege is forfeited unless the officer land in India within three months from the date of his appointment. In such cases his service, like the service of any Civil Engineer appointed in England, counts from the date on which he lands in India.

Engineers of the Public Works department appointed in England and certain officers of Forest Department.

CHAPTER IV.

QUALIFYING SERVICE.

FIRST CONDITION.—SERVICE UNDER GOVERNMENT.

Service under Government.

Section **15.**—The service of an officer does not qualify unless he is appointed, and his duties and pay are regulated, by the Government, or under conditions determined by the Government.

1. Service as a Native Accountant in a Silladar Regiment in the Bombay Presidency does not qualify in the case of officers appointed to such service on or after the 6th February 1875.

Office under Board of trade. Municipalities. Grant in-aid schools and institutions. Treasurers' subordinates.

2. The following are examples of officers excluded from pension by this Section:—A Marine officer paid by fees fixed by the Board of Trade. Officers of a Municipality. Officers of grant-in-aid schools and institutions (*e. g.*, the Asiatic Society and the Canning College at Lucknow). Subordinates appointed by Treasurers on their own responsibility, *e. g.*, Tahvildars in the North-Western Provinces, and Fotadars (money-testers) in Bengal.

Grant in-aid schools; Exception

3. The educational authorities in Bengal having induced certain teachers of Government institutions to accept service in grant-in-aid schools, by declaring a Rule regarding Bombay schools (*Section* 29, *Case c*) to be applicable to their case, were directed, in December 1863, to offer to these teachers, re-employment in Government schools. Those of them who accepted such re-employment reckon their service (not exceeding three years), in grant-in-aid schools, as service under Government.

Service in schools of which the cost is defrayed from gross assignments.

4. An officer on the establishment of any Government school in Bengal, the expenses of which are paid from assignments made in gross to a local committee having the direct management of the school, and from school fees, or of a school of which the expenses are defrayed from a municipal grant and from school fees, may, on his first appointment or on his transfer from other pensionable service, with the permission of the Local Government, subscribe for pension or gratuity under the Rules in this Code, in the manner prescribed in Section 38. The Rules of the Code including the Rules in Sections 52 and 60 apply to such an officer.

5. Service as a teacher in a District or Anglo-Vernacular school in the Central Provinces, paid wholly or partly by the contributions of Municipalities or local subscriptions, qualifies in the case of officers who were appointed to such service before the 29th January 1876.

Contract establishment

Section **16**.—Service on an establishment paid from a gross allowance made to the head of the office, with the detailed distribution of which the Government does not interfere, does not qualify. Such gross allowance may be fixed in amount, or may consist of fees assigned to the head of the office.

Registration offices

1. The maximum establishment allowance for Registration offices in Bengal is not an establishment allowance within the meaning of this Section, because the Inspector General of Registration, under the orders of Government, regulates its distribution, and any balance unspent is saved to Government.

Allahabad pay office.

2. Service in the Allahabad Pension Pay office, which was formerly paid from an establishment allowance, qualifies in the case of the clerks retained in it when it became a regular establishment.

Service paid from household allowances.

Section **17**.—Service on an establishment paid from the household allowance of the Viceroy, or of a Governor or Lieutenant-Governor, does not qualify. (*But see Rule* 2 *under Section* 32.)

Section **18**.—In the following cases, service under an employer to whose position Government has succeeded qualifies: Service under employers supplanted by Government

(*a*).—Service in the Berars and in Mysore by officers transferred to the Government of India when it undertook the administration of these provinces. Berars and Mysore.

(*b*).—Service rendered to a Native State and continued to the British Government, on the lapse or annexation of the State, when old age or infirmity renders the officer a fit object for pension. But claims to pension under this Rule must be referred to the Government of India. Service under Native States.

(*c*).—Service, in superior grades, in Talukdari schools in Oudh, which were converted into Government schools on the organisation of the Educational Department in this province. Talukdari schools, Oudh.

(*d*).—Service by officers who were on the establishments of the Military and Medical Funds when the Funds were taken over by Government. Military funds.

(*e*).—Service was guaranteed to the soldiers of the Sikh Government who, on annexation, entered the British service in the following regiments: Soldiers of Sikh darbar.

Subhan Khan's (or 1st Punjab police battalion).	Suraj-mukhi (or 4th Punjab police battalion).
Sher-dil regiment (or 2nd Punjab police battalion).	The 3rd Punjab light field battery.
Kallar-mukhi (or 3rd Punjab police battalion).	The 4th or Garrison company of artillery.
	Two companies of Punjab sappers.

In accordance with the guarantee, such soldiers who, on the 28th October 1861, were in employment in any Department, are entitled to receive pension for their service under the Sikh Darbar and for that under the British Government, under the Rules for invalid pensions to soldiers in Local or Irregular Corps.

CHAPTER V.

QUALIFYING SERVICE.

SECOND CONDITION.—PERMANENT AND SUBSTANTIVE EMPLOY.

Section **19**.—Service does not qualify unless the officer holds a substantive office on a permanent establishment. Service permanent and temporary.

1. Service in an office which, though at first created experimentally or temporarily, eventually becomes permanent, qualifies. But this Rule does not apply to the case of an officer who is entertained temporarily in one appointment, and is, afterwards, transferred to *another* substantive appointment.

2. An officer officiating in an office which is vacant, or of which the permanent incumbent does not draw any part of the pay, may, if he is confirmed without breach of continuity, and if the permanent incumbent is not at the time counting service in the office for pension, count service as if he had held the office substantively.

3. An officer who holds a substantive office and draws substantive pay, as a probationer, holds a substantive office within the meaning of this Section. So does an officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him pending probation and in which no other officer simultaneously counts service.

Permanent officer deputed.

Section 20.—If an officer on a permanent establishment is detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, he continues to count service as if he had remained on the permanent establishment.

Examples.—A Deputy Collector deputed to assess or collect the Income Tax. A Muharrir detached on Settlement duty.

Employment on special duty on abolition of substantive office.

Section 21.—If the substantive office of an officer is abolished, within the meaning of Section 50, but the officer is, at the time, on special duty, or is, on abolition of his office, deputed on special duty, his service continues to qualify.

1. It is essential that the duty be of a special character. Mere employment, in continuation of permanent employment, in a temporary appointment which happens, at the time, to be vacant, does not qualify under this Rule.

Press servants and Section-writers.

Section 22.—Press servants who are paid for piece-work, and Section-writers in Bengal, the North-Western Provinces, and Madras, are reckoned members of a permanent establishment holding substantive offices, if—

(1) they are employed, not casually, but as part of a fixed establishment; and

(2) during the last seventy-two months of their actual employment they have been attached to one office uninterruptedly for twenty-four months, or it has not been through their own

choice or misconduct that they have not been so attached.

Section **23**.—In the following cases, temporary service qualifies: Exceptions to the general rule.

(*a*).—A Surgeon, or duly qualified Medical Practitioner in charge of a Government vessel, may count his service afloat, if he is, without breach of continuity, transferred therefrom to the Uncovenanted Medical Service. Medical charge of Government vessel.

(*b*).—Claims by officers of the Public Works Department whose pay was charged to "works," before the issue of the Public Works Department circular No. 6 of 1862, but whose employment was really of a permanent character, will, if the sanction to their entertainment was regular, be specially considered by the Government of India. 'Works' establishments, Public Works Department.

(*c*).—If the Collector of Customs in Calcutta, in transferring an officer from the extra or contingent list of the Calcutta Customs Preventive service, declares that the transfer is made on the ground of good service rendered, his service on the extra or contingent list qualifies. Preventive service, Calcutta.

Section **24**. (*a*).—Service in the undermentioned Settlement and Survey Departments which are on a quasi-permanent footing, qualifies: Settlement and survey departments.

The Settlement Departments in Madras, the North-Western Provinces, Oudh, and the Punjab. The Revenue Survey Departments in Bengal, Madras, and Bombay. The establishments of the Inam Commissioners of Madras and Bombay. The Alienation Settlement Department in Bombay.

1.—This Section does not apply to an officer engaged on the understanding that his appointment is only temporary, or that he will be liable to be discharged after a short period of service.

(*b*).—In other provinces (and in the above-named provinces also, apart from the regular Departments), Settlement and Survey work is temporary service, and does not count. But if service in the Settlement Department in any province, or in the Malabar Escheat establishment, Madras, is followed, without a break, by qualifying service, it qualifies.

1.—Deputy Collectors and similar gazetted officers, when not especially employed for temporary work, are not affected by this Rule, as they count service, independently of the particular Department to which they happen, for the time, to be attached.

CHAPTER VI.

QUALIFYING SERVICE.

THIRD CONDITION.—SOURCE OF REMUNERATION.

Specification of sources.

Section **25**.—Service which satisfies the conditions laid down in CHAPTERS IV and V qualifies, or does not qualify, according to the source from which it is paid.

Political agencies.

1. Officers on establishments of Political Agencies are exempt from this condition. But when a Political Agency is established at the charge of a Native State, every member of the establishment, covenanted or uncovenanted, must pay to the British Government, in respect of his pension and absentee allowances, a contribution equal to what would be levied from him under Section 38, if Section 37 applied to him.

[NOTE.—This condition was ordered on the 30th December 1871, to be introduced gradually, whenever existing arrangements were revised. Officers of the Rewah Political Agency then already paid six per cent.]

Railway Police.

2. Members of office establishments in the Railway Police in Bombay, who are wholly paid by the Railway Companies, are also exempt from this condition.

Special Police.

3. When Police officers are entertained at the cost of individuals and corporate bodies under Sections 13, 14, and 15 of Act V of 1861 of the Governor General of India in Council, or under Sections 14, 15, and 16 of Act VII of 1867 of the Governor of Bombay in Council, an additional charge of one-fourth of the pay of officers whose pay is not less than Rs. 100 a month, and of one-eighth of the pay of others, must be defrayed by the persons for whose benefit the officers are employed, and credited to Provincial Funds; provided always that this additional charge shall not be made when such officers do not belong to the regular Police, but are only temporarily engaged, their service not counting for pension; or when the pay of the officers is a charge upon the Government. (*See Section* 103 (*b*).)

Section **26**.—Service is paid as follows :—

A.—From the General Revenues.

B.—From Local Funds.

C.—From Funds in respect of which the Government holds the position only of a trustee.

D.—By fees levied by law, or under the authority of the Government.

E.—By commission.

F.—By the grant, in accordance with law or custom, of a tenure in land, or of any

other source of income, or right to collect money.

A.

Section 27.—Service paid from the General Revenues qualifies: Paid from general revenues.

1. The service of Process-servers, before the Court Fees Act, 1870, was passed, qualifies in the following cases:— Process serving establishments.

In BENGAL—

Service paid from the Fund formed under Act V of 1863, Bengal Council.

In the NORTH-WESTERN PROVINCES—

(*a*).—Service under the civil courts after 31st December 1863.

(*b*).—Service under the revenue courts after 31st December 1865.

In the PUNJAB—

Service after 14th March 1859.

In OUDH, the CENTRAL PROVINCES, and BRITISH BURMAH—

All service.

In BOMBAY—

Service paid from the Ameen's Fee Fund.

[NOTE.—In Madras the service of Process-servers before their appointment under the Court Fees Act, 1870, did not qualify.]

2. Rule 1 applies also to Naib Nazirs who were paid from the same source as Process-servers.

Section 28.—Pensions and gratuities for service paid, wholly or partly, from the revenues of Mysore or the Berars, shall be charged against these revenues wholly or according to the rule of proportions, as the case may be. Berars and Mysore.

1. This Rule applies also in the following cases: Mamlatdars and Karkuns on establishments paid from the revenues of the Peint State. Public officers in superior grades transferred to service under the Municipality of Malcolm Peith, which is under Government control.

Section 29.—When contributions are made by Railway Companies, or from Local Funds, or special sources, towards the cost of appointments and establishments which are maintained directly from the General Revenues, the numbers and pay being fixed by the Government, the establishments are treated as if paid from the General Revenues. General revenues recouped from other sources.

CHAP VI. **Qualifying Service.—Third Condition.**

The following cases fall under this Rule:

Shipping master.

(*a*).—The Shipping Master and Deputy Shipping Master, and their establishments at Bombay, and the Deputy Shipping Master in Calcutta, the cost of which offices is provided for by shipping fees.

Hooghly and Elphinstone colleges

(*b*).—The establishment of the Hooghly college and collegiate schools, while the cost thereof was borne by the Mohsin Trust Fund, and also that of the Elphinstone college and high school, the cost of which is recovered from a private endowment.

Bombay schools on old system

(*c*.)—Masters and assistant masters in schools established in Bombay on the old system (converse to the grant-in-aid system), whose pay was met in part by local contributions. The pension in this case is reckoned only on the share of salary paid by Government.

Sehor school.

(*d*).—The establishment of the Sehor (Central India) school, the expense of which is paid, in part, by local subscriptions.

Customs establishments, Bombay.

(*e*).—The following Customs establishments in Bombay, the cost of which (including, in the case of some of them, a percentage* to cover cost of pension) is paid by private companies:

Name of establishment.	Monthly cost.			Name of company reimbursing to Government.
	Rs.	A	P.	
1. Jamsetji Bandar Custom house ...	150	0	0	Messrs. Remington and Company.
2 Hydraulic press	130	8	0	Mr. Ardhasir Cowasji Modi.
3. Victoria land and press	321	0	0	Messrs. Remington and Company.
4. P. & O. Company's dockyard at Mazagon	621	8	0	P. & O. Company.
5. Arthur Bandar custom house ..	40	0	0	London Asiatic and American Company.
6. Frere land and pier company's Bandar ...	297	0	0	Sir Charles Forbes & Company.
7 Arthur Bandar fort press company ...	59	0	0	Messrs Ewart, Latham and Company.
8 Imperial cotton press	138	0	0	Narsi Keshowji and Company.
9 Akbar cotton press company ..	136	0	0	Messrs. Ewart, Latham and Company.
10. Arthur Bandar custom house ...	59	0	0	Hurmusji Dadabhai Dubash.
11. Powder works Bandar of the Mazagon land reclamation company	249	8	0	Messrs. Ritchie, Stewart and Company.
12. Messrs W Nicol and Company's dockyard, Mazagon	238	0	0	Messrs W Nicol and Company, Agents of the British India Steam Navigation Company
13 Mazagon powder works Bandar ...	100	0	0	New Mazagon Land Company.
14. Sassoon Bandar at Colaba ...	1,229	0	0	Messrs. David Sassoon and Company.

Jail writers, Bombay.

(*f*).—Second writers on jail establishments in the Bombay Presidency, sanctioned by order in the Financial Department No. 523, dated 4th June 1867.

Book-keeper, High Court, Bombay.

(*g*).—The book-keeper of the High Court at Bombay whose pay is provided for by a three per cent. commission on invested funds.

* The addition for this purpose, in all future cases, must be twelve per cent.

Section 29.

B.

Section **30**.—Except as provided in Sections 31, 32, and 33, service paid from Local Funds does not qualify. Paid from local funds.

Section **31**.—If a Local Fund satisfies the two conditions following: Discretional power of Government

(1) that its income is derived from taxation, or other *permanent* source, and not from charitable donations, or voluntary subscriptions;

(2) that the source of its income is under the control of Government;

the Local Government may, at its discretion, treat service paid therefrom as qualifying.

1. Taxes imposed by Municipalities are not under the control of Government; therefore, service under a Municipality does not qualify. But there are, in the Bombay presidency, some Local Funds administered by Municipalities, the source of whose income is under the control, not of the Municipalities, but of Government; for it is not in the power of the Municipalities to abolish them or reduce their income. In these cases, if the first condition is fulfilled, the Local Fund would be within the Rule. Explanation.

2. This Section applies absolutely to establishments paid from Port Funds managed by Government, and not by Trustees. Port Funds.

3. It applies also to officers employed in imperial account offices. Imperial account offices.

4. A pension may be given for service rendered at the charge of a Local Fund, even though it do not satisfy the conditions prescribed in this Section, if, with the permission of the Local Government, the Trustees of the Fund pay to the Imperial Government the capital value of the pension, which value shall be determined, till further orders, by Table A in Appendix E. In such case, the capital value thus paid will be credited to the Imperial Government, and the pension will thenceforth be a charge upon the Imperial Revenues. Other Local Funds.

Section **32**.—Pension or gratuity for service under a Local Fund is paid from the Local Fund. Pension charged against fund.

1. When part of the pensionable service of an officer has been paid from the General Revenues and part from Local Funds, his pension or gratuity is paid according to the rule of proportions: the pensionable Local Fund service may not be neglected, and a pension or gratuity awarded only for the service paid from General Revenues. Provided that, if, under this Rule, less than one-fourth of any pension or gratuity would be payable from either source, no distribution shall be made; in such case the other source shall bear the whole charge. Mixed service.

Viceroy's household establishment.

2. If an officer has served partly (in a capacity which would have given him claim to pension or gratuity if the service had been paid from the General Revenues) on the household establishment of the Viceroy, and partly on establishments paid from the General Revenues, he is entitled, from the General Revenues, to a share of any pension or gratuity to which he would have been entitled if his whole service had been paid from the General Revenues, proportionate to the length of the service which has been so paid.

Example.—A. B., a messenger on a pay of Rs. 8 a month, has served altogether 32 years, of which 16 years were passed on the household establishment of the Viceroy. If A. B.'s whole service had been paid from the General Revenues, he would have been entitled under Section 65 (*b*) to a maximum pension of Rs. 4 a month. A. B. will receive from the General Revenues a maximum pension of Rs. 2 a month.

Pension fund.

3. The Government does not guarantee the solvency of Funds (such as the Local Educational Pension Fund, Bombay) formed by the subscriptions of Local Fund officers and established to provide pensions for the subscribers thereto.*

Contribution by Local Fund employés.

4. An officer who is paid from a Local Fund may, with the permission of the Local Government, on first appointment, and upon production of a medical certificate, under Section 52, Rule 2, or, on transfer from pensionable service, without such certificate, subscribe for a pension or gratuity in the manner prescribed in Section 38. In such case, so long as the officer continues to subscribe for pension or gratuity, the Rules of this Code apply to him, as if he were paid from the General Revenues.

5. When the Local Government allows an officer to subscribe for pension or gratuity, his name, the date of his birth, and other particulars necessary for his identification, shall be recorded in the office of the Accountant General. The certificate of good health should also be sent to this office.

Exceptions to general rule.

Section **33**.—In the following cases, service paid from Local Funds qualifies:—

Cotton frauds establishment, Bombay.

(*a*).—Public officers transferred to establishments under the Cotton Frauds Act, Bombay, before the receipt of the Secretary of State's despatch to the Government of India, No. 302, dated 16th December 1864, which directed their early re-transfer to the regular service.

Lithographic press, Calcutta.

(*b*).—Officers of the lithographic press, Calcutta, transferred with it to the Alipur jail in January 1860, and afterwards paid from the Convict Labor Fund.

Public works engineers lent to local funds.

(*c*).—Members of the regular Public Works establishments, employed, under the authority of the Local Government, on Local Funds works. From the 10th January 1872, this permission was restricted to Engineer officers.

* See Appendix C, Extract 1.

C.

Section **34**.—Service paid from funds which Government holds only as a Trustee, does not qualify. Paid from trust funds.

*Examples.**—Estates under the Court of Wards. Attached estates.

D. & E.

Section **35**. (*a*).—Service in an office paid only by fees levied by law or under the authority of Government, or by a commission, does not qualify. Paid by fees or commission.

(*b*).—Service in an office paid by fees or by commission *in addition to* pay from the General Revenues qualifies.

1. Service as Administrator General, or as Official Assignee, does not qualify, even though (as in Madras and Bombay) the income from fees or commission is supplemented from the General Revenues. Administrator general, &c.

2. Nazirs on the establishments of civil or revenue courts, who were paid, wholly or partly, by fees, are entitled to pension or gratuity unless the establishment on which they have served is excluded by Section 16. Nazirs paid by fees.

3. Service as a Thoogyee (local collector of revenue), in Burmah, qualifies. Thoogyees.

F.

Section **36**.—Service paid by the grant, in accordance with law or custom, of a tenure in land, or of any other source of income, or right to collect money, does not qualify. Paid by a tenure in land.

Exception.—An officiating hereditary district officer in Kaira appointed under Act XI of 1843, if transferred to qualifying service, counts his previous service. Kaira hereditary officers.

CHAPTER VII.

OFFICERS LENT TO NATIVE STATES, MUNICIPALITIES, ETC.

[NOTE.—The Rules in this Chapter apply also to Covenanted Civil Servants, and to Military Officers in civil employ†.]

Section **37**.—The following Rules provide for the case of officers transferred, on or after the 14th October 1871 (or, in the case of teachers transferred to the service of the Chamba and Kolhapur States, on or

* See Chapter VII.

† See Appendix C, Extract 2.

after the 22nd October 1875),* from qualifying service, to service under Native States, Municipalities, or other bodies financially independent of the Government of India: Provided that the transfer is made on public grounds, and not only in the private interest of the officer transferred, and that the consent of the Government of India in the Foreign Department be obtained before an officer is transferred for service under a Native State.

Transfers to service paid from Local Funds and not admitted under Section 31, and temporary transfers to service paid from Local Funds under which service is so admitted, are within the meaning of this Section.

Contribution required.

Examples.—Port Trusts and Estates under the Court of Wards are examples of "other bodies financially independent of the Government of India."

Section **38** (*a*).—From every officer transferred in the manner specified in Section 37, who does not wholly resign the service of Government, or who is not, for special and public reasons, exempted from the operation of the Rules in this Chapter, a contribution shall be levied, of one-fifth of the salary which he receives from his employers; that is to say, he will receive from his employers pay and acting allowance, fixed in accordance with the Rules of the Government service, for the appointment which he holds or in which he officiates, and, retaining four-fifths, will pay one-fifth to the Government of India. Provided always that the contribution from an Uncovenanted officer shall in no case exceed two hundred and fifty rupees a month.

Government obligation.

(*b*).—In return for this contribution, the Government will accept the charge for the officer's pension or gratuity, and also that for his absentee allowances (except in the case of privilege leave, regarding which no arrangement can be made, and during which the contribution must be paid in the same manner as if the officer were on duty), in the same manner and to the same extent as if he were in the regular service of Government; saving only that the calculation of pension, gratuity, or absentee

* For the Rules applicable to the case of officers transferred before the 14th October 1871 (or, in the case of teachers transferred to the service of the Chamba and Kolhapur States, before the 22nd October 1875) see Appendix D.

allowance, will be based upon the four-fifths salary which he retains, and not upon the full amount which he receives.

1. The contribution prescribed in this Section shall not be levied from any officer who is lent to a Native State, Municipality, &c., for temporary employment for a period not exceeding six months. Temporary employment.

2. With the special permission of the Government of India in the Financial Department, an officer may make the contribution prescribed in this Section in respect of a part only, not being less than two-thirds, of his salary: Provided that pension, gratuity, or absentee allowance, will, in every case, be calculated only upon four-fifths of the amount in respect of which the contribution is paid. Contribution upon part of salary.

3. A Native of India, not a member of the Covenanted Civil Service, may resign all claims to allowances from the British Government during leave. In such case, the contribution required will be twelve per cent. instead of one-fifth, and shall, in no case, exceed one hundred and thirty-six rupees a month; and the pension, gratuity, or absentee allowance will be calculated upon 88 per cent. ($\frac{22}{23}$ths) of the amount in respect of which contribution is received. Contribution for pension only by a native of India.

4. From inferior servants, the contribution required is one anna in the rupee for pension or gratuity only; the Government of India will not pay the leave allowances of such servants. Inferior servants.

5. If the salary of the officer is disbursed at a British Government treasury, the required contribution will be deducted at time of payment; otherwise, the officer himself must pay the amount, directly, to the British Government, in such manner as may be arranged.

6. The officer must furnish all information that may be required from him by the Accountant General. Information required.

7. An officer is not permitted to withhold the contribution upon condition that the time of his service lent or transferred shall not count for pension, gratuity or leave. He must either wholly resign the service of Government, or, unless he is specially exempted, make the contribution required by these Rules. Withholding contribution.

8. The salary of an officer lent to a Native State must, in every case, be fixed with the consent of the Government of India, and the officer must not accept any increased allowances without the previous sanction of the Government of India. Salary fixed by Government.

9. The salary of an officer transferred in the manner described in Section 37 for service under a Native State, Municipality, or other body, must be borne by the Native State, Municipality or other body from the date on which he is relieved from his duty under the British Government to the date on which he is relieved from his duty under the Native State, Municipality, or other body. Period for which Native State, &c., will bear the charge for salary.

10. An officer who is paid from a Local Fund may, on first appointment, with the permission of the Local Government, and Officer paid from Local Fund may subscribe.

upon production of a medical certificate, under Section 52, Rule 2, subscribe, under this Section, for a pension or gratuity. The Rules of the Code will then apply to such officer so long as he continues to subscribe for pension or gratuity, as if he were paid from the General Revenues.

Covenanted Civil Servant's contribution.

11. The deduction made under this Section from the salary of a Covenanted Civil Servant includes the deduction on account of annuity. The portion which is to be considered as deduction on account of annuity is equal to one-twenty-fourth part of the salary remaining to the officer after the whole deduction. If, however, the salary to be drawn is already fixed on other considerations (as, *e. g.*, if the officer is to receive a salary equal to what he drew before transfer), the contribution under this Section should be calculated upon the salary which remains to him after the usual deduction on account of annuity.

Example.—The salary of A. B. is Rs. 1,000. The deduction on account of his annuity is Rs. 40, and the contribution which he must pay, if transferred to serve under the Native State, $\frac{1000-40}{4}=240$. The whole charge on the Native State is Rs. 1,000, *plus* Rs. 240, or Rs. 1,240. From this A. B. will pay Rs. 240 to Government; A. B. will pay separately Rs. 40 on account of annuity.

No right of property in contributions made.

12. No officer has any right of property in contributions made under this Section, or any claim upon Government in respect to such contributions, except to receive such pension, gratuity, or absentee allowance, as may become admissible to him in accordance with the Rules in this Code or its Supplements.

13. The pension, leave and acting allowances of an officer transferred from qualifying service to service whether acting or permanent under a Native State, Municipality or other body financially independent of the Government of India, are regulated by the rules which apply to officers of the Government of India. Any saving arising from the absence of a permanent officer accrues to his employers.

14. If an officer is, under this Chapter, transferred from qualifying service to substantive service under a Native State, Municipality or other body financially independent of the Government of India, it must be arranged that he does not forfeit a lien upon his substantive office under the British Government which his *locum tenens* should hold substantively for the time only, under Section 4 of the Acting Allowance Code.

An officer so transferred cannot return to acting service under the British Government without reverting also to his substantive office under the British Government, the *locum tenens* of this office, thereupon, falling back on acting allowances. No officer, while acting in any appointment under the British Government, or the pay of which is regulated by the British Government, is entitled

to allowances on account of any office under a Native State, Municipality or other body financially independent of the Government of India. But there is no objection to his being permitted to retain a lien upon such an office, or to the actual incumbent being appointed thereto, during his absence, substantively for a time only.

Section 39.—The Rules in this Chapter do not apply in the following cases:— Excepted cases.

(*a*).—Assistant Opium Agents in independent Native States, who are paid by the Native States. Assistant opium agents.

(*b*).—Medical officers lent to charitable dispensaries or hospitals in British India and Vaccinators enrolled as officers of Government and employed in military cantonments or under municipalities or paid from Local Funds. The service of these officers counts as if it were service under the British Government. Charitable dispensaries.

(*c*).—Officers lent to Her Majesty's Government in England, or to any Colonial Government. These cases are left for special treatment as they arise. Colonial Governments.

CHAPTER VIII.

SUPERIOR AND INFERIOR SERVICE.

Section 40.—Qualifying service is divided into superior and inferior.

Section 41.—Service on pay not exceeding ten Government rupees, and service in the following capacities or in any office which has been graded as inferior by the rule or practice of the Local Government, on whatever pay, is inferior service:— Inferior service.

Artificers other than those specified in Rule 1 under Section 42. Handicraftsmen, and laborers.

Bazars. Chaudharies of—

Daftaries and Muchies.

Maistries in the Public Works Department.

Menial and inferior servants of all sorts.

Messengers, Orderlies, and Peons, and their petty officers.

Money-testers (Fotadars).

Pressmen and Distributors in printing and lithographic establishments.

Priests, and other officers employed to administer oaths.

Sarkars.

Seamen and Boatmen.

Shroffs whose pay does not exceed fifteen rupees.

Turnkeys.

Village Accountants in Bombay (Tallatics).

Weighmen in mints (excepting the Head Weighmen).

Superior service.

Section **42**.—All other service is superior service.

1. The service of the following officers is superior if their pay exceeds ten Government rupees :—

Bazar-*—Kotwals of—

Book-binders, whose professional occupation is book-binding, and who are not mere Daftaries.

Catamaran Maistries at Madras.

Commissariat Inspectors.

Divers.

Light-houses. Signalmen in—

Maistries in the Murramat department under civil officers in the Madras Presidency, as respects service up to the year 1856.

Medical department. Cutlers in the—

Mint artificers, if their occupation is injurious to health.

Printing establishments. Workmen employed in—except those whose work is purely mechanical, such as Distributors and Pressmen: but press servants admitted under Section 22 count service as superior for those months only in which their earnings exceed ten rupees.

Quarter-masters, Tindals, Serangs, Marine Engine-drivers, and Stoker-tindals.

Section-writers admitted under Section 22, in those months only in which their earnings exceed ten rupees.

Gunpowder manufactory of Madras. Workmen employed in the—before the 28th January 1871;—when they become permanently disabled by sickness or old age.† These are admitted even if their pay does not exceed ten rupees.

Hospital purveyors.

Shroffs, whose pay exceeds fifteen rupees; also Shroffs in Madras who were in the service on 22nd May 1856, and those in Bombay who were really clerks, and whose designation was, under the order of the Secretary of State, No. 1, dated 22nd October 1858, changed into Karkuns.

Stud-breeding establishment. Zilladars in the North-West—

Telegraph department. Artificers, Assistant Artificers, Mounted Artificers, and Linemen in the—The service of a Lineman is superior even if his pay does not exceed ten Government rupees.

Tomandars and Naib Tomandars of the Thuggee and Dacoity department.

Vaccinators, including, in the Madras presidency, those whose pay is ten rupees.

Victualling Gomastahs.

Wakils attached to the Barr infantry (Mysore).

Two or more inferior offices.

2. If an officer holds two or more offices, each of which is inferior by reason of the pay not exceeding ten rupees, he cannot count service as superior, on the ground that the aggregate pay exceeds ten rupees, unless the offices were arranged, and their pay determined, with the intention that they should be held by one individual.

Doubtful cases.

Section **43**. (*a*).—When the regular duties of an officer whose pay exceeds ten rupees, but who bears an inferior designation, are really such as are ordinarily performed by a superior servant, his claim to pension or

* On 14th December 1869 the following was declared to be the establishment of Kotwals of Bazars in Bombay, and officers who, on that date, filled these posts, may be classed with superior servants retrospectively in respect of service as Kotwal or as Chaudhary of any of the Bazars enumerated.

Poona (two), Belgaum, Disa, Mhow, Nasirabad, Aden, Maligaum, Assirghar, Nimach, Ahmadabad, Ahmadnagar, Sholapur, Hyderabad, Jacobabad.

† For Dockyard and Military Artificers there is no rule; but the Government of India, in the case of deserving men of long service, recommends the Secretary of State to award special pensions.

gratuity should be specially referred to the Government of India.

(*b*).—On the other hand, an officer whose real duties are those of an inferior servant, even though his pay exceeds ten rupees, is not entitled to pension or gratuity on the superior scale, merely because he draws pay under a superior designation.

Example.—A lithographic pressman charged for as a copying clerk.

1. In consideration of the low scale of pay prevailing in Mysore during the Native Administration, the Chief Commissioner may allow service, even on pay not exceeding ten rupees, in offices which must have been filled by educated men, to reckon as superior service. (*See Section* 69, *Rule* 1.) But this concession shall not apply to an officer who was not in the service of the Mysore State before 1862, and who has not served continuously since that year. Mysore.

2. A class of servants in the North-Western Provinces who were called "Fotadars," but whose duties were really those of accountants, have been declared superior servants, under Clause (*a*) of this Section. Fotadars.

CHAPTER IX.

PERIODS OF LEAVE AND SUSPENSION.

Superior service.

Section 44.—Periods of absence on leave other than privilege or subsidiary leave are not reckoned as superior service. Leave subsidiary to leave on medical certificate

In the year 1862, the Government of Bombay recommended to H. M.'s Government that some rules might be laid down for the grant of pensions to the Dockyard Artificers in that presidency. Though service as an Artificer is treated as inferior, the Local Government was of opinion that the nature of the service of the Artificers employed in the Bombay Dockyard is such as to entitle men of long service to special consideration. The Secretary of State in a Despatch to the Government of Bombay, No. 106, dated 30th November 1863, expressed his unwillingness to lay down a general rule, but desired each case of lengthened and approved service to be submitted for special consideration. Some time after, the Government of India in the Military Department ordered, apparently with reference to the case of Military Artificers, that no application for pension to an Artificer should be taken into consideration, unless the applicant had rendered forty years' meritorious service. But the Secretary of State (*Despatch to the Government of India, No.* 181, *dated* 28*th May* 1868), referring to his orders of 1863, in the case of the Dockyard Artificers, Bombay, desired that no fixed rule should be laid down, but that each case should be decided on its merits. This decision was re-affirmed, upon a reference from the Government of India, by a Despatch No. 419, dated 12th August 1875.

Under present rules, inferior servants are eligible for pensions and gratuities, as in Section 65. But, with reference to the above-mentioned orders, the case of Military Artificers and Bombay Dockyard Artificers will be specially considered as regards their claim to pension.

is not reckoned as service in the case of an officer who has twice before had leave on medical certificate beyond India.

Exception.—In the case of an officer appointed to the service under the Regulations of the Royal Indian Engineering College at Cooper's Hill and of an officer especially educated in Europe for the Forest Department under Regulations made by the Secretary of State, furlough to the following extent counts as service:—

Service from date of appointment.			*Furlough counts as service.*
Under 20 years	...	...	None.
20 years	...	...	2 years.
25 „	...	...	3 „
30 „	...	...	4 „
35 „	...	...	5 „

Leave before 1856.

1. This Section applies to leave on medical certificate taken even before 1856. Such leave was reckoned as service under the old Rules, but is not reckoned under the new Rules, the periods of service required by which are generally shorter.

Exception.

2. Leave during recess, on half-pay, granted to Native Surveyors in the Revenue Survey Department in Bengal, the North-Western Provinces, and the Punjab, being allowed for public reasons, is reckoned as service.

3. Leave granted to an officer who is permitted to present himself at any examination which must be passed before a person is eligible for higher subordinate appointments such as Deputy-Magistracies, is reckoned as service (*Section* 13 *of Supplement F to the Civil Leave Code*).

4. When an officer is deputed out of India on duty, the whole period of his absence from India counts. When an officer on leave out of India is detained on duty, the period of such detention counts.

Inferior service.

Section **45.**—An inferior servant counts periods of authorised leave as service.

1. Leave not exceeding in amount that admissible under the Rules in Supplement F to the Civil Leave Code, may, if granted by competent authority, be considered "authorised."

Suspension.

Section **46.**—The time passed under suspension pending enquiry into conduct, counts, if the suspension is immediately followed by reinstatement. Time passed under suspension adjudged as a specific penalty does not count.

1. If an officer who has been suspended pending enquiry into his conduct is reinstated, but with forfeiture of any part of his allowances for the period of suspension, this period does not count. But the authority who reinstates the officer may expressly declare *at the time,* that the period shall count.

CHAPTER X.

FORFEITURE OF PAST SERVICE.

Section 47.—A break in the continuity of service entails forfeiture of past service, except in the following cases:— Break in continuity.

(*a*).—Authorised leave. Leave.

(*b*).—Absence prolonged after the end of leave: Absence after leave.

Provided that if an officer remains absent for more than a week after the end of privilege leave, his past services are forfeited, unless the authority whose duty it is to make the appointment, re-appoints the officer and makes a declaration (to be communicated to the Accountant General) that his past services, or part of them, shall qualify. If he remains absent for more than a month, his past services cannot count without a special order by the Government of India.

[NOTE.—This proviso has effect from 11th January 1869]

(*c*).—Suspension immediately followed by reinstatement, which need not necessarily be to the *same office*. Suspension.

(*d*).—Abolition of office. Abolition of office

(*e*).—Transfer to non-qualifying service in an establishment which is under Government control. The transfer must be made by an authority competent to sanction it; and an officer who voluntarily resigns qualifying service, cannot claim the benefit of this Rule. Transfer to a grant-in-aid school always entails forfeiture. Transfer to non qualifying service.

(*f*).—Transfer to service on the household establishment of the Viceroy. Household establishment.

(*g*).—Loss of appointment owing to the mutiny, provided that the officer affected cleared his character, and was re-appointed as soon as a suitable vacancy was found for him. Mutiny.

(*h*).—Transit from one appointment to another, provided that the officer is transferred under the orders of competent authority, or if he is a ministerial officer, with the consent of the heads of both offices concerned. Transit from one office to another.

Section 48.—Resignation of the public service, or removal from it on account of misconduct, or for inefficiency, or on account of failure to pass a prescribed examination, entails forfeiture of past service. Removal from office.

1. But an officer who resigned the public service, before the 8th June 1863 if he was a superior servant, or before 1st September 1871 if he was an inferior servant, and was re-appointed to the public service within twelve months from his resignation, is permitted to count the service rendered before resignation. This Rule can be applied to only one resignation.

CHAPTER XI.

CONDITIONS OF AWARD OF PENSION AND GRATUITY.

Classification.

Section 49.—Pensions and gratuities are of four classes:

A.—Compensation pensions and gratuities.
B.—Invalid pensions and gratuities.
C.—Superannuation pensions and gratuities.
D.—Retiring pensions.

1. Pension or gratuity may not be granted to an officer whom it is desired to remove for misconduct or inefficiency.*

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* *Despatch from the Government of India, to the Secretary of State for India, No.* 39, *dated* 17*th January* 1873.

We have the honor to report, for your Grace's approval, that we have sanctioned a compassionate allowance of * a month to A B whom it is considered expedient to remove from the service on account of intemperate habits.

2. We take this opportunity of representing to Your Grace that we often experience great difficulty from the rules in force not allowing the grant of a pension when, owing to inefficiency, which may, perhaps, not always be his fault, an officer is no longer able to perform satisfactorily the duties required of him.

3 We forward herewith a copy of papers relating to the case of C. D. as an illustration of this inconvenience. After serving Government for about 28 years, C. D. was removed for inefficiency, for which he was clearly not to blame.

4. Even the rules applicable to pension on medical certificate would not always meet such cases; and we should be glad to be allowed to exercise a discretion in granting to officers, whom it is desirable to remove from the service for inefficiency, due to whatever cause, such pension as may in each case seem to us expedient. We should limit such pension, ordinarily, to the amount admissible under Section 59 of the Civil Pension Code: it would probably be very seldom necessary to grant even so much.

5. What we wish is to be able to discharge, upon some reasonable conditions, an officer whom it is not desired to keep in the public service, but whose conduct has not been such as to justify his dismissal without any provision for his subsistence, or, perhaps, the infliction upon him of any penalty whatever.

Despatch from Her Majesty's Secretary of State for India, No. 133, *dated* 27*th March* 1873.

PARA. 1. I have considered in Council your Financial letter, dated the 17th January 1873, No 39, reporting the circumstances under which you have sanctioned the grant of a compassionate allowance of * a month to A. B. and requesting to be "allowed to exercise a discretion in granting to officers, whom it is desirable to remove from the service for inefficiency, due to whatever cause, such pension as may in each case seem to you expedient."

2. I confirm the grant of this compassionate allowance to A. B.; but I cannot sanction any general arrangement by which pensions not authorised by existing Rules could be granted without reference to the Secretary of State. I

Section 49.

2. A gratuity is paid in a single sum, and not by instalments.

3. An officer may be admitted to pension or gratuity while absent on leave whether in or out of India.

A.

Section **50.**—A COMPENSATION pension or gratuity is awarded to an officer discharged from the public service because, on a reduction of establishment, his appointment is abolished. Compensation pension.

1. To pension an officer still capable of useful service is a waste of public money; and every endeavour should be made to employ the officer in some other office. Accordingly, before a pension or gratuity is granted to an officer discharged on abolition of appointment, it must be carefully considered whether he cannot be thus provided for. The head of a Department, in forwarding an application for compensation pension or gratuity, should invariably state for what reasons it has been found impossible to provide suitable employment for the applicant; and in the quarterly statements furnished by Local Governments of such pensions and gratuities, it should be stated in respect of each case, that it has been found, after careful enquiry, impossible to provide for the officer elsewhere. Re-employment to be found if possible.

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shall, however, be prepared to consider any proposal you may make for the grant of a special pension in a case of the nature to which you refer; but such proposed grant should always be made to, and be sanctioned by, me, before any communication on the subject is made to the officer concerned.

Despatch from Her Majesty's Secretary of State for India, No. 369, *dated 5th October* 1876.

PARA. 1. I have considered in Council your Financial letter dated the 7th August 1876, No. 270, reporting the circumstances under which you have decided to dispense with the services of Mr. A., an Executive Engineer,

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giving him a gratuity of six months' pay with a free passage to England or the Colonies.

2. It appears from the papers forwarded with your letter that Mr. A. has been in the Department about eleven years, but that he has not proved an efficient officer, which may however be probably accounted for in some measure by the bad health from which he has suffered, and that the Local Government are of opinion that the most economical course to pursue in his case would be to give him a gratuity, and dispense with his services.

3. You state that there were hardly sufficient grounds for Mr. A.'s dismissal, while on the other hand, as the medical report on his case did not declare him to be permanently incapacitated for further service in India, he had no claim, under the Pension Rules, to any gratuity on removal from the service, and that it appeared to you to be more advisable to dispense with his services on the terms above referred to, than to retain him in the Department even in reduced position.

4. Your proceedings are confirmed.

Selection for discharge.

2. Whenever, upon the reduction of an establishment, it is necessary to discharge one or more members thereof, the selection of the officers to be discharged should, *primâ facie*, be made in such way that the least charge for compensation pension or gratuity is incurred.

Cannot refuse re employment

3. An officer discharged with a compensation pension may not, on pain of losing his pension, refuse to accept any appointment which the Local Government thinks fit, within six months from the date of his discharge, to offer to him. The salary of such new appointment must not, however, be less than enough to raise his total receipts under the operation of Section 97 to the amount which he received as salary immediately before his discharge. Nor should the new appointment be such as the officer cannot reasonably and equitably be expected to accept.

or transfer.

4. Rule 3 applies also to the case of an officer entitled to compensation pension who upon the abolition of his own appointment is transferred to another appointment under proper authority To such an officer, a compensation pension may be simultaneously awarded, subject always to the limitation prescribed by Section 96.

Explanation.

5. The discharge of one officer to make room for another better qualified, is not the abolition of an appointment within the meaning of this Section; the abolition must produce a real saving to Government in respect of the cost of the appointment. Particulars of the saving effected should be fully set forth in every application for compensation pension or gratuity. The saving should always exceed the cost of the pension or gratuity; otherwise it may be better to postpone the reduction of establishment or abolition of appointment.

Change in nature of duties.

6. If it becomes necessary to discharge an officer in consequence of a change in the nature of the duties of his office, the case should be referred to the Government of India.

General reduction

7. An appointment, the pay of which is reduced as part of a general scheme of revision, may be considered abolished within the meaning of this Section. But, in such case, it would often be better to grant a personal allowance than a pension.

Abolition of one of two appointments.

8. If, of two appointments held by one officer, one is abolished, and the other retained, the case should be specially submitted to the Government of India.

Graded officers.

9. Deputy Collectors, Munsifs, and similar officers, who belong to the public service apart from their particular local appointment, cannot obtain a compensation pension or gratuity, in consequence of the abolition of a particular appointment.

Excepted cases.

10. No pension or gratuity may be awarded to an officer on discharge after the completion of a specified term of service.

Local allowance.

11. No pension or gratuity may be awarded for the loss of a local allowance.

Transfer to an appointment of less value.

Section **51**.—If an officer, who is entitled to receive compensation pension or gratuity, accepts, instead,

another appointment in the Government service (whether qualifying or not), and, subsequently, becomes again entitled to receive a pension or gratuity of any class, the amount of such pension or gratuity should not be less than he could have claimed if he had not accepted the appointment.

B.

Section **52.**—An INVALID pension or gratuity is awarded, on retirement from the public service, to an officer who, by bodily or mental infirmity, is permanently incapacitated— Invalid pension.

(*a*)—for the public service, or—

(*b*)—for the particular branch of it to which he belongs.

1. An officer discharged on other grounds has no claim under this Section, even although he can produce medical evidence of incapacity for service. No claim on other grounds.

2. To prevent undue liability for invalid pensions or gratuities, no person may be appointed to a superior grade in the public service in India without a certificate in the annexed form by a Commissioned Medical officer, or by a Medical officer in charge of a civil station. This certificate must be annexed to the first bill submitted for the pay of the officer. A similar rule is enforced by the Secretary of State in respect of persons selected by him for service in India. Medical certificate on first appointment.

CERTIFICATE.

I do hereby certify that I have examined A B, a candidate for employment in the _____ Department, and cannot discover that he has any disease, constitutional affection or bodily infirmity, unfitting him, or likely to unfit him, for the public service in any part of India.

3. But if an officer, who is appointed on a salary not exceeding fifty rupees a month, cannot conveniently appear before a Commissioned Medical officer or a Medical officer in charge of a civil station, the Local Government may accept a certificate in such form as it considers sufficient, from any other officer, who need not even be a medical man. Exception.

4. No medical certificate is necessary upon an officer being promoted from inferior to superior service. Promotion.

5. Rule 1 under Section 50 applies, *mutatis mutandis*, in the case of an officer invalided under clause (*b*), as unfit for employment only in some particular branch of the public service. Every effort should be made to find for such an officer other employment suited to his particular capacity. Re-employment.

Medical certificate by whom attested.

Section **53**.—If the officer applying for pension or gratuity is sixty years old or upwards, no certificate by a Medical officer is necessary. It will suffice for the head of the office to certify to the incapacity of the applicant. Otherwise incapacity for service must be established by a medical certificate attested as follows:—

(*a*).—If the officer submitting it is on leave in England;—by the Medical Board of the India Office.

(*b*).—If he is serving at a Presidency town;—by the Surgeon General of the Indian Medical Department or by the Standing Medical Committee at the Presidency.

(*c*).—If he is a superior officer and is serving in the interior of the country under such circumstances that, in the opinion of the Local Government, he can be conveniently required to appear before a Military Invaliding Committee;—by such Committee.

(*d*).—In other cases, the Local Government may either accept a certificate given by a single Commissioned Medical officer or Medical officer in charge of a civil station, or assemble a special Invaliding Committee at a convenient civil station. If the pension applied for exceeds Rs. 100 a month, a certificate by a single Medical officer should not be accepted as sufficient if it is possible, without undue inconvenience, to assemble an Invaliding Committee, or to cause the applicant to appear before the Surgeon General, Indian Medical Department, or the Standing Medical Committee at the Presidency.

Form of Medical certificate.

Section **54**.—The medical certificate must be in the following form:—

CERTIFICATE.

Certified that I or we (*as the case may be*) have carefully examined A. B., son of C. D., a_____ in the_____.
His age is, by his own statement,_____years, and, by

appearance, about_____years. I (*or* we) consider A. B. to be completely and permanently incapacitated for further service of any kind or (*as the case may be*) in the Department to which he belongs, in consequence of (*here state disease or cause*). His incapacity does not appear to us to have been caused by irregular or intemperate habits. (*If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly, and the following addition should be made.*)

I am (or We are) of opinion that A. B. is fit for further service of a less laborious character than that which he has been doing, or may, after resting for_____ months, be fit for further service of a less laborious character than that which he has been doing.

[NOTE.—A succinct statement of the medical case, and of the treatment adopted, should, if possible, be appended.]

Pension awarded accordingly.

Section **55**.—If the incapacity is the result of irregular or intemperate habits, no pension or gratuity can be granted. Otherwise, it is for the Local Government to decide whether the officer's incapacity is such as to render it necessary to admit him to invalid pension or gratuity.

1. An officer who has submitted a medical certificate of incapacity for further service must not (except for special reasons to be reported to the Local Government) be retained in the service pending the decision on his application for pension. Without the further special sanction of the Local Government, service after the date of a medical certificate can in no case count for pension. The object of this rule is to discourage tentative applications. But an inferior servant, or a Police officer below the rank of Head Constable, who, in the opinion of the head of his office, is fit for light work, may be retained in employment till his pension or gratuity is sanctioned, provided that his place is not filled up till he retires and that his service counts only to the date of his medical certificate.

C.

Superannuation pension.

Section **56**.—A SUPERANNUATION pension or gratuity is granted to an officer compelled, by rule, to retire at a particular age.*

1. An officer in a superior grade, who has attained the age of fifty-five years, may be required to retire, unless the Local Government considers him efficient, and permits him to remain in

* The following Rule was, with the sanction of the Secretary of State, passed by the Government of India in a Notification, No. 794, dated 25th January 1865, in regard to Military and Naval officers in Civil employ:—

"After the age of fifty-five years, no Military or Naval officer shall be appointed to a new office in Civil employment, or shall be permitted to retain any such office which he has held for five years and upwards, except in special cases, which are to be referred for the decision of the Right Hon'ble the Secretary of State."

the service.* (*See Rule* 3 *under Section* 1 *of the Civil Leave Code.*) But, as the premature retirement of an efficient officer imposes a needless charge on the State, this Rule should be worked with discretion.† No officer can *claim* to retire on the ground that he is fifty-five years old.

2. The Accountant General will inform the Local Government whenever any officer attains the age of fifty-five years, in order that the Local Government, being apprised of the fact, may take such action as it sees fit for the retention or otherwise of the officer in question.

3. If an officer, whose age is less than sixty years, is required

And in his despatch No. 106, dated 30th August 1873, the Secretary of State remarked: "This Rule should be strictly enforced, unless the retirement of any officer should be considered by the Government, under which he is serving, to be injurious to the public interests I therefore agree with your Excellency in Council that while Colonel A. B. appears to be a useful and experienced officer, his case is not one which should form an exception to the existing rule."

* I am directed to acknowledge your letter No. 515C.-S., dated 14th ultimo, relative to the existing rules for the superannuation of Covenanted and Uncovenanted Officers in Civil employ. You enquire whether Uncovenanted Officers holding appointments open to members of the Covenanted Service should be treated like Covenanted Officers in the matter of retirement.

Section 53, C. P. Code.

2. The Government of Bengal are aware that a Covenanted Civilian or an Officer of the Army in Civil employ is obliged to retire after a certain period of service unless it is injurious to the public interests that he should do so; but an Uncovenanted Officer in a superior grade who has attained the age of 55 years may be required to retire unless the Local Government considers him efficient and permits him to remain in the service. There is thus a clear distinction between the two classes of officers; for the former class is required as a rule to retire, while the latter is required as a rule to be retained, the result in both cases alike being decided by what is most expedient in the public interests.

3. The Government of India think it unnecessary to add to these rules, but in the case of Uncovenanted Officers holding appointments open to the Covenanted Service the standard of efficiency by which the retention of such Officers is to be decided may reasonably be raised above the standard required in lower appointments.—(*Govt. of India, Home Dept., to Govt. of Bengal, No.* 524, *dated* 31*st March* 1876.)

† The Secretary of State wrote regarding this Rule in Public Despatch No. 87, dated 8th August 1872: "I trust that the various Governments and Administrations will always be disposed to extend to this Rule a very liberal interpretation, and that the State may, in no case, be deprived of the valuable experience of really efficient Native officers by the untimely exercise of the powers of compulsory retirement on pension."¶

¶ In acknowledging the receipt of your letter No. 1319, dated 11th November 1875, I am directed to say that Rule I of Section 56 of the Civil Pension Code applies to all uncovenanted officers (in the superior grades) without reference to their nationality. If an officer is efficient after attaining the age of fifty-five years, his retention in the service is not barred by the accident of his being of other than purely native birth, and though the despatch of the Secretary of State in the foot-note to Rule I of Section 56 mentions *native* officers only, it has a much wider application, and should be held applicable to all uncovenanted officers in superior grades, whether natives or Europeans, equally with the rule quoted above.—(*Govt. of India, Financial Dept., to Govt., N. W. P., No.* 2759, *dated 7th December* 1875.)

to retire under Rule 1, the chief of his office must certify under the head of "Any other remarks," on the third page of the application for his pension or gratuity, that the applicant is inefficient owing to age or infirmity.

4. An annual return of officers permitted to remain in the service after the age of fifty-five years, should be submitted in the subjoined form to the Government of India in the administrative Department concerned :

1. No.—2. Office—3. Name of officer—4. Present age—5. Period of extension—6. Grounds of extension, and remarks.

D.

Section **57.**—A RETIRING pension is granted to an officer who voluntarily retires after completing the requisite period of service. Retiring pension.

CHAPTER XII.

AMOUNT OF PENSION OR GRATUITY.

[NOTE.—For the definition of the words "pay," "emoluments," and "average emoluments," as used in this Chapter, see Chapter XIII.]

Section **58.**—THE AMOUNT of pension or gratuity that may be granted is determined by length of service, as set forth in Sections 59, 60, and 61. Explanation.

1. An officer entitled to pension may not take a gratuity instead of pension. No option of gratuity.

2. A pension or a gratuity (except a pension granted under Section 64) is fixed in rupees and not in sterling money, even though it is to be paid in England. Pension to be in rupees.

A.—FOR SUPERIOR SERVICE.

Section **59.**—The amount of compensation and invalid pension and gratuity which may be granted for SUPERIOR service is as follows:— Compensation and invalid pension.

(*a*.)—*After a service of less than fifteen years* :—

A gratuity, not exceeding (except in special cases, and under the orders of the Government of India) one month's emoluments for each completed year of service ; and not, under any circumstances, exceeding twelve months' emoluments in all. Gratuity.

1. Broken periods of a year are not to be taken into account in calculating the amount of any gratuity admissible to an officer under any Rule in the Code. No account of broken periods.

(*b*.)—*After a service of not less than fifteen years but less than twenty-five years* :—

Pension not exceeding one-third of average emoluments.

A pension, not exceeding one-third of the officer's average emoluments ; and, also, not exceeding Rs. 3,000 a year, or, if the officer's average emoluments do not exceed Rs. 12,000 a year, Rs. 2,000 a year.

(*c*).—*After a service of not less than twenty-five years* :—

Pension not exceeding one-half of average emoluments.

A pension, not exceeding one-half of the officer's average emoluments ; and, also, not exceeding Rs. 5,000 a year, or, if the officer's average emoluments do not exceed Rs. 12,000 a year, Rs. 4,000 a year.

Superannuation pension.

Section **60**.—The amount of superannuation pension and gratuity which may be granted for superior service is that which would be admissible as an invalid pension or gratuity.

Proviso.—If an officer's qualifying service began after the 20th January 1871, and after he attained the age of twenty-five years,* the pension admissible as

* *Resolution by the Government of India, Financial Department, No.* 423, *dated* 20*th January* 1871.

The Governor General in Council observes that the admission into the service of Government of other than young men tends to throw upon the State an undue liability in respect of pensionary allowances.

2. His Excellency in Council is accordingly pleased to declare that, as a general rule, no person should be admitted into the Uncovenanted Service of Government after he has attained the age of 25 years. But if, for special reasons, any one is after this date admitted at a later age, then in the event of his being required to retire, under the operation of any rule for the removal of officers from the service as superannuated, on their attaining a particular age, the pension to which he would but for this rule be entitled shall be reduced in the proportion which the number of years of pensionable service which he has completed bears to 30 years, the full period required for a good service pension.

Letter from Government of India, Financial Department, to Government of Madras, No. 2065, *dated* 15*th July* 1871.

I am directed to acknowledge the receipt of your letter No. 816, dated 13th June 1871, inquiring whether the rule of 20th January 1871, prohibiting the employment in the uncovenanted civil service of persons above the age of 25 years, except on special grounds, is to be applied to the case of persons who having voluntarily resigned the service seek to obtain re-admission.

2. In reply I am desired to say that so far as regards the re-admission of persons situated as above, it is a question for the officer appointing to determine, and probably previous service, if it proved the capacity of the person, might be a special reason for employment.

3. In the case of re-employment of such persons the rule for the reduction of pension will apply.

4. In regard to this rule it should be remarked that it imposes no "specified disadvantage as regards pension," but only prevents the undue advantage which the persons to whom it applies would otherwise obtain by being permitted to earn a full pension by a service of less than 30 years.

Section 60.

invalid pension is to be multiplied by a fraction, the numerator of which is the number of years' service completed, not exceeding 30, and the denominator of which is 30. The limit of Rs. 2,000, Rs. 3,000, Rs. 4,000, or Rs. 5,000, is to be applied before, and not after, this multiplication.

1. For officers entitled to the benefit of Section 63 (*a*), "27" should be substituted "for 30" in this proviso. Educational officers.

Section 61.—The amount of retiring pension which may be granted for superior service is as follows :— Retiring pension.

After a service of not less than thirty years :—

The same in amount as an invalid pension admissible after twenty-five years' service.

Section 62.—In the following cases, the several prescribed maximum limits of Rs. 2,000, Rs. 3,000, Rs. 4,000, and Rs. 5,000 a year may be relaxed :* Extension of the maxima.

Letter from Government of India, Financial Department, to Government of Madras, No. 2400, *dated* 30*th August* 1872.

I am directed to acknowledge the receipt of your letter No. 549, dated 29th April 1872, submitting the request of the Government of Madras for a reconsideration of the orders of the Government of India, No. 1991, dated 15th July 1871, passed on the recommendation of the local Government to exempt pleaders who might be candidates for employment in the judicial branch of the service, from the operation of the rule prescribing 25 years as the maximum age for admission into the uncovenanted service.

In reply, I am to remark that the Government of Madras appear to have misapprehended the rule in question. There is no general *prohibition* against the employment of persons in the public service whose age exceeds 25 years; nor is any reference to the Government of India necessary before any such persons are employed. Under the rule as laid down in Financial Resolution No. 423, dated 20th January 1871, a local Government has a discretion to admit to the public service any person at any age; and no particular disadvantage affects an officer admitted after the age of 25 years, except that if he is *superannuated*, *i. e.*, compelled to retire as inefficient, on attaining the age of 55 years (Civil Pension Code, 56-1), he will get a proportionately smaller pension. His claim to an *invalid*, or *compensation*, or *retiring* pension (sections 50, 52, and 57 of the Code) is not affected.

By a later order the Government of India have expressed their willingness to relieve any officer from even this special disadvantage on sufficient cause being shown. But the Government of India alone can grant such relief.

* These limits do not apply to Covenanted Civil Engineers and to Civil Officers of the Telegraph Department who executed their covenants before the 8th June 1863, and who have elected the rules which were in force before that date—*Section* 4 (*a*). There is no *maximum money* limit to the pension of such an officer whose covenant is dated before the 19th May 1855; and in the case of an officer whose covenant is dated after the 19th May 1855 (but before the 8th June 1863), the pension is limited to £400 a year, if his pay is not less than Rs. 700 and not more than Rs. 1,000 a month; and to £500 a year, if his pay exceeds Rs. 1,000 a month.

(*a*).—For an officer whose average emoluments exceed Rs. 10,000 a year, and who entered the service before the 19th May 1855, or whose salary, before the 6th August 1862, exceeded Rs. 10,000 a year, the maximum pension is, ordinarily, Rs. 5,000. But, if the service of such an officer has been *of extraordinary merit*, a pension exceeding Rs. 5,000 may be recommended for the sanction of the Secretary of State.

(*b*).—To an officer who entered the service before the 19th May 1855, but whose average emoluments do not exceed Rs. 10,000 a year, the Secretary of State, on the recommendation of the Government of India, sometimes grants a special pension in excess of the prescribed maximum, for *unusually meritorious services.*

(*c*).—For a Native Judge (*see Appendix B* 1) who was in the service on the 29th October 1866, the limit is ordinarily Rs. 5,000.

[NOTE.—The limits which may be relaxed under this Section are the *maximum money limits*, and not the limits of one-third or one-half average emoluments.*]

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* *Extract from a Financial Despatch from Her Majesty's Secretary of State for India, No.* 401, *dated* 24*th September* 1872.

3. You inquire whether it is open to your Government, under Section 62 of the Civil Pension Code, to recommend to the Home Government the grant of special pensions, not only in excess of the money limits prescribed by the Rules, but also in excess of the limits of one-third or one-half of average emoluments, as the case may be.

4. The Pension Code published by you merely embodies existing Rules as to the grant of pensions, and interpretations thereof, and is intended for the guidance and information of your officers; but it can scarcely be held to absolutely preclude your Government from making any special representation to the Secretary of State you may see fit in any particular case.

5. The inconvenience, however, of recommending uncovenanted servants for special pensions unauthorised by the Rules was pointed out in paragraphs 7 to 9 of the Financial Despatch, dated 30th September 1863, No. 174,† and I see no reason to modify the opinion therein expressed.

6. Under these circumstances, I consider that it would be inexpedient to alter the Pension Code as proposed by you.

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† *Extract from a Financial Despatch from Her Majesty's Secretary of State for India, No.* 174, *dated* 30*th September* 1863.

8. I take this opportunity of calling your attention to the practice of recommending uncovenanted servants for special pensions. The Code of Rules which was published on the 4th of January 1831, prescribed that "the rates of pension shall be fixed on a graduated scale, within the prescribed limitations, with reference to the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service; and, in my Financial Despatch of the 8th of December 1862, No. 205, I observed (paragraph 9) that "pensions of the full amount stated are to be granted only as the reward of approved service." It appears, however, to be the custom for heads of Departments in India to recommend, in nearly every case, the full amount of pension which the Rules permit; and, whenever the service rendered has been at all above the average character, a special pension is recommended in excess of that which the Rules authorise.

Section 62.

Section **63**.—In the following cases, certain privileges exist in respect of the length of service required for pension. Privileges in counting service.

(*a*).—To the following officers, not being natives of Asia, pension is admissible after three years' less service than is required from other officers, provided that they began service after twenty-five years of age.

(1).—Directors of Public Instruction, Inspectors of schools, Principals and Professors of colleges, and Head Masters of colleges and high schools. Educational officers.

(2).—Barristers of England or Ireland, or members of the Faculty of Advocates of the Court of Session of Scotland, serving in offices to which the Local Government has, with the consent of the Government of India, declared it to be necessary to appoint Barristers of England or Ireland, or members of the Faculty of Advocates of the Court of Session of Scotland. Barristers and Advocates.

To entitle an officer to the benefit of this Rule, the whole of the service for which pension is claimed must have been passed in one or other of the offices indicated.

(*b*).—An officer appointed before the 8th June 1863 may count service for an *invalid* pension at one-third or one-half of his average emoluments according to the old Rules: provided that he has not enjoyed any advantages under the new Leave Rules which he might not equally have enjoyed under the old. The *amount* of the pension must, however, be calculated in accordance with the Rules in this Chapter and Chapter XIII. Officers appointed before June 1863.

Example.—An officer has served Government for twenty-one years, of which five years were passed before he was twenty-two years old, and two years were passed on leave on medical certificate under the Rules of 1856. His service, calculated under the Rules, is only fourteen years, the rest being excluded by Sections 13 and 44, and he would not be entitled to pension under Section 59 (*b*); but, under the old Rules (*see Appendix B* 1) the whole twenty-one years would count, and he would be entitled to pension under Section 59 (*b*), having completed the twenty years' service required by the old Rules.

9. It cannot be too strongly insisted upon, and made known to the whole body of uncovenanted officers, that the full pension authorised under the Rules is not to be given as a matter of course, but only where the service performed has been really such as to merit the approval of Government, and this should be invariably kept in view in considering recommendations for pension. It is easy for your Government to keep within the limits which the Rules authorise; but there is a manifest inconvenience in the Home Government refusing to grant a special pension which may have been submitted to them with the weight which must always attach to a recommendation by your Government.

Native Judges

(*c*).—Native Judges who were in the service as Judges on the 29th October 1866, and who were entitled to exceptional advantages under the old Rules (*see Appendix B* 1), may count service for one-third and one-half pension in accordance with the old Rules.

Lucknow garrison

(*d*).—Uncovenanted officers who formed part of the garrison of Lucknow during the siege in 1857, count one year's additional service.

Civil Engineers

(*e*).—When on the ground of his previous experience a Civil Engineer is appointed specially to the service of the Government in the Department of Public Works, with initial rank higher than that of a first grade Assistant Engineer, the Secretary of State will, at the time of the engagement of the officer, sanction such a departure from the rules of this Code in his favor as may be agreed upon.

Barrister appointments.

Section **64.**—To the following officers, being Barristers of England or Ireland, or members of the Faculty of Advocates of the Court of Session of Scotland, *viz.* :—

Judges of the Chief Court of the Punjab; First Judges of Small Cause Courts of Presidency towns; Recorder of Rangoon; Secretary to the Government of India in the Legislative Department (formerly Assistant Secretary in the Home Department, Legislative Branch, and afterwards Secretary to the Council of the Governor General for making Laws and Regulations).

invalid and retiring pensions are admissible as follows:

(*a*).—After not less than six years and nine months' active service in one or other of the offices specified in this Section;—an invalid pension of £300 a year.

(*b*).—After not less than eight years and eight months such service;—an invalid pension of £500 a year.

(*c*.)—After not less than eleven years and six months such service;—a retiring pension of £750 a year.

1. Active service here includes, besides time spent on duty, privilege leave, subsidiary leave, and periods of vacation during which the officer is not on furlough or extraordinary leave.

2. Except as provided by this Section, these officers come under the ordinary Rules.

B.—FOR INFERIOR SERVICE.

Section **65**.—FOR INFERIOR service, pension and gratuity may be granted as follows:— For inferior service.

(*a*).—Compensation and invalid gratuity: Compensation and invalid gratuity.

Service of less than 5 years,—nil.

„	not less than	5	years and less than	10	years,	—3	months'	pay.
„	„	10	„	„	15	„	—4	„	„
„	„	15	„	„	20	„	—5	„	„
„	„	20	„				—6	„	„

(*b*).—Compensation and invalid pension: Compensation and invalid pension.

Service not less than 30 years,—half pay not exceeding four rupees.

1. In special cases the Government of India grants more than half pay; but never more than four rupees.

2. Service rendered before the age of sixteen years does not qualify. Service before the age of 16.

3. For inferior service in Mysore no pensions are given. But compensation and invalid gratuities may be granted at the rate of one month's pay for each year of service (without limit as to the number of years' service), the pay to be taken at the average of the last three years. Inferior servants on the Sowar establishment and on the establishments attached to the Bára infantry come under this Rule. In Mysore.

4. To servants of the Mysore Palace establishment, pensions may be granted at the rates prescribed in this Section; and the Chief Commissioner may grant compassionate allowances to helpless old servants not entitled to regular pensions. A portion, not exceeding half, of the pensions of these servants, may be continued to their widows, if they have no other means of subsistence, and if no arrangement can be made to employ any member of the family. Servants of the Mysore Palace establishment.

5. An officer should not, without urgent necessity, be invalided when he has nearly completed 30 years' service. The Government cannot undertake to overlook a deficiency of service resulting from an officer being prematurely invalided. The principle of this rule applies to all analogous cases.

C.—FOR SERVICE PARTLY INFERIOR AND PARTLY SUPERIOR.

Section **66**.—If the service of an officer have been for some time inferior and for some time superior, he has the option of counting the whole as inferior service towards pension or gratuity on the inferior scale, or of counting so much of it as is superior towards pension or gratuity on the superior scale. A gratuity on the Service partly inferior and partly superior.

superior scale under this Section is calculated upon the emoluments which the officer drew when last in superior service. A gratuity on the inferior scale is calculated upon the pay (whether on the superior or inferior scale) which he drew immediately before retirement from service. If an officer has been, as a penalty for misconduct, reduced from the superior to the inferior class, he should not be allowed the benefit of this Section without special reference to the Government of India.

Promoted from inferior to superior grade.

Section **67**.—If an officer has been promoted from an inferior to a superior grade as a reward for meritorious service, the case will be specially considered by the Government of India.

1. This Rule is to be strictly interpreted, and claims under it can be founded only on exceptional promotion, made out of the ordinary course.

Explanation as to full pension.

Section **68**.—The full pension or gratuity admissible under the Rules is not to be given as a matter of course, or unless the service rendered has been really approved.

Reduction.

1. If the service has not been thoroughly satisfactory, the Local Government should make such reduction in the amount of pension or gratuity as it thinks proper.

CHAPTER XIII.

CALCULATION OF PENSION AND GRATUITY.

Meaning of "pay" and "emoluments,"

Section **69** (*a*).—Unless there be something repugnant in the subject or context, the words "pay" and "emoluments" used in CHAPTER XII mean the pay and emoluments which the officer was receiving immediately before his retirement from service.

and of "average emoluments."

(*b*).—"Average emoluments" means the average calculated upon the last five years of service.

1. In the case of an officer claiming the benefit of Section 43, Rule 1, "average emoluments" means the average calculated for the whole of the service necessary to qualify for the pension granted, excluding any excess service rendered before the commencement of the necessary period; and a gratuity is to be calculated on "average emoluments" (as defined in this Section) instead of on "emoluments."

Periods of leave, &c

2. If, during the last five years of his service, an officer has been absent on leave with allowances, or, having been suspended, has been, under Section 46, reinstated without loss of service, his emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent on leave or suspended: provided always that his pension must not be increased on account of increments in pay not actually received. But if the leave is reckoned as service under Section 44, Rule 2, only the allowances actually received during the leave should be taken into account.

3. If, during the last five years of his service, an officer has been, for a period, without allowances, or in inferior service, or suspended under such circumstances that the period of suspension does not count as service, such period should be disregarded in the calculation of the average, an equal period before the five years being included.

Emoluments actually received to be reckoned.

4. Excepting as provided in Rules 2 and 3, only emoluments actually received can be included in the calculation. For example, when an officer is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculation.

Holding more than one appointment.

5. If an officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension or gratuity would have been admissible to him, the pension or gratuity, or pension and gratuity, admissible to him, is the sum of the several pensions or gratuities, or pensions and gratuities which would have been admissible to him if he had held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Section 59 (*b*) and (*c*).

6. An officer is not entitled, for service in an office conjointly with another office, to any pension or gratuity which would not have been admissible to him if he had held the office separately and alone.

Definition of "emoluments."

Section 70 (*a*).—In the term "emoluments" are included the following:—

(1).—Pay of substantive appointment; (2).—Personal allowance; (3).—Fees or commission, if they are the authorised emoluments of an appointment, and are *in addition* to a substantive pay; and commission in the case of a Thoogyee; (4).—Field allowances (*i. e.*, horse and tent allowances) of Surveyors and Assistant Surveyors; (5).—Charge allowance to Signallers in the Telegraph Department; (6).—Bullock Train and Punjab Military Horse Van Dâk allowances in the Post Office Department.

(*b*).—Other allowances are excluded, such as—

(1).—Local allowances; (2).—Allowances given for duties performed in addition to the work of a regular appointment; (3).—Messing allowances, Working allowances, and Provision allowances to officers in the Marine Department; (4).—House-rent allowance, or estimated value of free quarters; (5).—Tour and other allowances (to officers who accompany the Viceroy or any Government); (6).—Compensation for dearness of provisions.

Acting allowances.

(*c*).—Acting allowances and allowances drawn by an officer appointed substantively *pro tempore* may not be included, unless the *pro tempore* or acting service counts under Section 8, or Section 19, Rule 2, as the case may be.

Deputation allowances.

1. When an officer in permanent employment is deputed on temporary duty, he cannot count his additional allowances for the deputation. (*Section* 20.)

2. But this Rule does not apply to an officer deputed to service in the Income Tax Department, or to an officer deputed on abolition of his appointment to special duty (*Section* 21), or to an officer who, at the time of the abolition of his appointment, was on special duty. In these cases the full allowances are counted.

3. If an officer who is *temporarily* transferred to service not under the control of Government, does not pay any contribution under Chapter VII, he cannot count, for the time passed in such service, higher pay than he had when he was transferred to it.

Section-writers and press servants

4. In the case of Section-writers and Press servants whose service qualifies under Section 22, "pay" and "emoluments" mean the average earnings of the last six months of service. (If the gratuity is on the superior scale, this means the average of the last six monthly bills exceeding ten rupees.) "Average emoluments" means the average of the last seventy-two monthly bills exceeding ten rupees.

5. In cases falling under clause (*a* 3) of this Section, "emoluments" means the average earnings of the last six months of service.

Net emoluments only to be taken.

Section 71.—Any part of an officer's pay or emoluments which is specifically intended to provide for expenses incidental to his duty, must be excluded.

Examples.—When an officer's pay is intended partly to cover the expense of his providing keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such

Section 71.

expense. When a water-carrier's pay provides for his keeping a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.

When a consolidated pay specifically includes tentage, travelling allowance, or house allowance, these must be deducted.

The commission paid to a Thoogyee in Burmah goes in part to pay expenses of collection and remittance of money. Account must be taken of the remainder only.

1. So, also, when an officer's pay is given at two rates, a smaller rate during stationary duty, and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

CHAPTER XIV.

APPLICATIONS FOR PENSION OR GRATUITY.

Service books o be kept.

Section **72.**—Every NON-GAZETTED officer, with the exception of a Police officer whose pay does not exceed twenty rupees, and officers in the Post Office Department or the Inland Customs Department whose pay does not exceed ten rupees, is required to keep a Service-book in which should be entered a statement of every step in his official life, each entry being attested, at the time, by the immediate head of the office in which he is serving. For officers of the Inland Customs Department, whose pay does not exceed ten rupees, a roll must be kept such as is prescribed in Section 114 (*a*) for the Police.

If the officer is himself at the head of an office (*e. g.*, a Deputy Post Master or a Sub-inspector of Police), the attestation should be made by his immediate superior.

1. The opening page should be divided for entries in the following form:

(1) Name of officer. (2) Caste or race. (3) Residence. (4) Father's name and residence. (5) Age. (6) Exact height by measurement. (7) Personal marks for identification. (8) Date on which page is filled up. (9) Signature of officer. (10) Signature and designation of the head of the office.

The entries in this page should be renewed or re-attested at least every five years.

2. The remaining pages should be divided for entries in the following form:

(1) Name of appointment. (2) Whether substantive or acting, and whether permanent or temporary. (3) If acting, here state the substantive appointment. (4) Pay. (5) Acting allowance. (6) Date of commencement of appointment. (7) Signature of officer. (8) Character of officer.* (9) Signature and designation of immediate head of the office. (10) Date of termination of appointment. (11) Reason of termination (such as promotion, transfer, dismissal, &c). (12) Signature of immediate head of the office.

No entries need be made in column 8 except when there is anything especially good or bad to be recorded.

3. Leave of every description (except casual), every period of suspension from employment, and every other break of service, should be noted, with full detail of its duration, by an entry written across the page, and attested by the head of the office.

4. A Service-book is supplied, at his own cost, to every officer on his first appointment.

5. The Service-book of an officer is to be kept in the office in which he is serving, and transferred with him from office to office. It may be given up to the officer if he resigns or is discharged without fault, an entry being first made therein to this effect.

6. Every officer is charged with the duty of seeing that his own Service-book is properly kept up, and that all erasures in it are properly attested. If the book is not carefully kept up, difficulties may arise as to verification of service, should the officer afterwards apply for pension or gratuity.

Application for pension, non-gazetted officers

Section **73**.—An applicant for pension or gratuity, not being a gazetted officer, should submit to the authority whose duty it would be to fill up his appointment if vacant, his Service-book, and a statement of the following particulars :

(*a*).—The date of the Christian era on which the applicant was born. (*b*).—List of appointments, substantive and acting, held during the service for which pension or gratuity is claimed, showing, when any appointment was only an acting one, what substantive appointment was held at the same time. The dates of

* *Circular of the Government of India, in the Home Department, dated 15th June* 1869.

The Governor General in Council has recently had under consideration a case in which a public officer, the head of a Department, in granting a certificate to one of his subordinates, suppressed the true reason for which the subordinate had been removed from his appointment. Such an omission may, obviously, be injurious to the interests of the public service. I am therefore directed to draw attention to the subject, and to request the issue of orders to all public officers, warning them to be careful, in giving certificates to their subordinates, to state the whole truth in respect of character and cause of dismissal or resignation of appointment.

the beginning and ending of each appointment should be stated, and the pay and acting allowance drawn in each. (*c*).—Dates of beginning and ending of each period of leave. (*d*).—An explanation of each break in continuity of service.

Application may be submitted before discharge

1. An officer may submit his application for pension or gratuity even though he has not ceased to be borne on the establishment; but the application must be supported by a certificate from the authority whose duty it would be to fill up his appointment if vacant, that the officer is likely, within six months, to retire from Government service. The certificate is to be forwarded to the Account Department, which Department is required then to verify the services in accordance with the Rules under Section 74. This provision is intended to obviate the delays which take place in the verification of service; and it is not to be understood as justifying the preparation of the regular application in Form A, prescribed in Section 75, before the officer has actually retired.

Verification of service.

Section **74**.—The authority receiving the application should then, in communication with the Account Department, verify the services claimed.

1. If the service has been, wholly or in part, inferior (regarding which service the records of the Account offices are sometimes incomplete), he should first gather from official records and other sources all the information procurable. In respect to superior service, it will be sufficient to gather, in the first place, only such information as is *easily* procurable.

2. The information thus received should then be forwarded to the Account officer concerned, as follow:—

For service in the ordinary civil establishments—	The Accountant General;
" " the Public Works Department—	The Controller of Public Works Accounts;
" " the Post Office Department—	The Compiler of Post Office Accounts;
" " the Telegraph Department—	The Controller of Telegraph Accounts;
" " the Military and Marine Departments—	The Controller of Military Accounts;
" " the Forest Department—	In Madras and Bombay,—The Accountant General; in other places,—The provincial Conservator;

for information as to whether his office records bear out the applicant's statements. If there be any discrepancy, the Account

officer will detail the nature of such discrepancy; for instance, that the post which the applicant states that he filled during a certain period is shown, by the Account officer's registers, to have been filled by another man.

3. If the service claimed cannot be wholly verified from the records of the Account offices, reference must be made to the head of the office in which the applicant states that he served during the period in doubt.

4. If it be found impossible to verify the service otherwise, the officer receiving the application should take the affidavit of the applicant (on plain paper,—*See General Stamp Act*, 1869, *Section* 15, *Clause* 12), and should also collect such collateral evidence as may be procurable: for instance, certificates, such as those given by an officer to a subordinate on his leaving an office, and the testimony of contemporary servants.

5. The service will be admitted or rejected, upon consideration of the whole evidence thus afforded.

Form of application.

Section 75.—After completing the verification in the manner prescribed in Section 74, the authority receiving the application should draw up the application in Form A, Appendix A, and, arranging with it all the documents relied upon for verification of the service claimed, in such manner that they can be conveniently referred to, forward it, together with the officer's Service-book, through his official superiors, to the Local Government.

Certificate of character or conduct.

1. He should certify, on the application, whether the character, conduct, and past services of the applicant are such as to entitle him to the favorable consideration of the Government. If the application is for pension or gratuity on the superior scale, he must be careful to enter all periods of leave, suspension, &c., which are not reckoned as service.

Leave and suspension.

Medical certificate

2. If the application is for an invalid pension or gratuity, and the applicant is less than sixty years old, the requisite medical certificate should be attached to the application. But if omission has been made in this respect, the Local Government may accept a certificate bearing a later date.

Gazetted officers.

Section 76.—A GAZETTED OFFICER should submit his application, through his official superiors, to the Local Government. The application should be drawn up, in the Form prescribed in Section 75, either by the officer himself or by the head of the Department in which he is serving; and the Rules under that Section apply, save that it is not necessary to have

the service formally verified before forwarding the application.

Accountant General's report

Section 77.—The last officer through whom the application passes should send it to the chief provincial Account officer of the Department, instead of forwarding it direct to the Government. The Account officer will (after verifying the service in the manner prescribed in Section 74) submit the application to the Local Government with a report upon the claim for pension or gratuity, and the Rules applicable to the case. He will also certify the correctness of the calculations of service, and of pension or gratuity.

1. If the case is plainly incorrect or incomplete, the Account officer should return it for correction or explanation.

2. In the Post Office Department, the Compiler being subordinate to the Director General, the application should go to him first, and to the Director General afterwards.

3. In the column of Form A reserved on the second page for the remarks of the Account officer, he should note briefly his reasons for disallowing any service claimed, and his explanation of any apparent discrepancies and the like. This Rule applies to the case of both gazetted and ungazetted officers.

CHAPTER XV.

POWERS OF THE LOCAL GOVERNMENT AND OF THE GOVERNMENT OF INDIA.

Power to grant pensions.

Section 78.—In a case falling clearly and strictly within the letter of the rules, the Local Government may grant the pension or gratuity admissible. Whenever such grant of a pension or gratuity is communicated to an officer, he should be at the same time informed that the grant is subject to revision by the Government of India in the Financial Department, and that should the amount granted be found to be in excess of that to which the Government of India in the Financial Department considers him entitled under the rules, he will be called upon to refund such excess. If any interpretation of the rules is involved, or if any indulgence not provided for by the rules is proposed, the Local Government should submit the case, with its opinion and re-

commendation,* to the Government of India in the Department in which the officer has served. Until the reply of the Government of India is received, a recommendation of this nature should never be communicated, directly or indirectly, to the officer concerned.

1. The Governments of Bombay and Madras should, upon questions of pension and gratuity, communicate with the Secretary of State, through the Supreme Government, and not directly.

2. An application in Form A or D, Appendix A, as the case may be, should accompany every special recommendation made under this Section.

Quarterly statements.

Section 79.—Returns (in Form C, Appendix A) of pensions and gratuities granted during the quarter, should be submitted by the Local Governments to the Supreme Government as soon as possible after the end of each quarter of the financial year. These returns should include all civil pensions and gratuities sanctioned during the quarter, in whatever Department, by the Government of India or the Secretary of State, as well as by the Local Government, care being taken, however, to enter each pension once only.

Government of India.

Section 80.—All claims to pension and gratuity are considered by the Government of India in the Financial Department. But the Government of India exercises in each of its other Departments, the powers of a Local Government over officers serving immediately under its orders. No quarterly returns of the pensions and gratuities granted in the other Departments of the Government of India are required; the papers of each case should be forwarded for perusal in the Financial Department.

Secretary of State.

Section 81.—Pensions and gratuities in excess of the amounts admissible under rule, or involving any relaxation of rule, require the sanction of the Secretary of State.†

1. When special circumstances appear to justify a departure from the rules laid down regarding pensions to uncovenanted officers, it is generally desirable that the allowance granted should be an arbitrarily fixed sum rather than any exact proportion of the pay to which it might be supposed that the rules afford a claim.

* In respect to such recommendations, see foot-note on page 34.

† See foot-note on page 34.

Section **82**.—The Government of India is ordinarily unwilling to pass orders on questions affecting the pension of an officer until he actually retires. Memorials which relate to such questions addressed prematurely to the Secretary of State, are uniformly returned.

1. This Section does not prohibit the submission of an application for pension or gratuity on behalf of an officer intending to retire immediately, while he is still in employ. (*See Rule* 1 *under Section* 73.)

CHAPTER XVI.

MANNER OF PAYMENT.

Section **83**.—The order sanctioning the grant of a pension or gratuity to be paid in India should be forwarded, with a copy of the first page of the formal application, to the Accountant General of the Province in which payment is to be made. Sanction of pension.

Section **84**.—The Accountant General will then communicate to the officer who is to pay the pension or gratuity, authority to make the payment; in the case of a pension, such authority will be a permanent-pay order in Form B, Appendix A. Permanent-pay order.

1. The disbursing officer will deliver one-half of the order to the pensioner, and keep the other half carefully, in such manner that the pensioner shall not have access thereto.

2. Each payment made is to be entered on the reverse both of the pensioner's half and of the disbursing officer's half of the order, both entries being attested, at the time of payment, by the signature of the disbursing officer. When the reverse of a permanent-pay order is filled up, or when the pensioner's half is found to be worn or torn, both halves should be returned to the Accountant General for renewal.

3. If a pensioner loses his half of the permanent-pay order, the disbursing officer's half should be returned to the Accountant General, in order that he may issue a new order. The observance of Rule 2 will prevent any payment being made on the half alleged to be lost.

Section **85**.—A pension is payable in India in monthly instalments. The pension for each month is payable on the first day of the following month. Pension when payable

1. Apart from special orders, a pension, other than an extraordinary pension under CHAPTER XXII, is payable from the date on which the pensioner ceased to be borne on the establishment, or from the date of the application, whichever is later. The object of this latter alternative, is to prevent unnecessary delay in the submission of applications. The rule may be relaxed, in this particular, by the Local Government when the delay is sufficiently explained.

2. Pension is payable for the day on which the pensioner dies.

Personal appearance at time of payment.

Section **86** (*a*).—Unless specially exempted by the Local Government, a pensioner must take payment in person, after identification by comparison with the permanent-pay order.

Exemptions.

(*b*.)—A female pensioner who is not accustomed to appear in public, and a male pensioner who is unable to appear in consequence of bodily illness or infirmity, or is exempted from personal appearance by the Local Government, may receive his or her pension upon the production of a life-certificate signed by a responsible officer of Government, or by some other well-known and trustworthy person. In such cases, the disbursing officer must take all possible precautions to prevent imposition, and must, before the first payment in each year, require proof not only of the existence of the pensioner, but also, if the pensioner is a male and has not been exempted from personal appearance by the Local Government, of his inability to attend in person to receive payment.

1. The disbursing officer is personally responsible for any payment wrongly made, and should take every precaution against fraudulent personation. In case of doubt he should refer to the Accountant General.

2. A pensioner of rank may be privately identified by the disbursing officer and need not be required to appear at a public office.

Certificate of non-employment.

Section **87**.—A pensioner, drawing pension in India, is required to append to his bills a certificate as follows :—

"*I declare that I have not received any remuneration for serving Government in any capacity during the period for which the amount of pension claimed in this bill is due.*"

1. In the case of a pensioner permitted under Chapter XX to draw pension after re-employment, this certificate should be modified according to the facts.

Section 88. (*a*).*—An annual return of pensioners in Form E, Appendix A, should be sent to the Accountant General from every office whence pensions are disbursed. The Accountant General will submit to the Government of India an abstract of these returns compared with the following table shewing the probable rates of mortality calculated for native army pensioners; Annual return.

Age	Rate of mortality per cent.
Under 50	4·
51—60	4·5
60—65	6·5
65—70	8·
70—75	10·
75—80	12·
80—85	12·5
85 and upwards	14·

(*b*).—The return is in three parts: (1) for pensions not exceeding Rs. 10; (2) for pensions exceeding Rs. 10, but not exceeding Rs. 50; (3) for pensions exceeding Rs. 50.

CHAPTER XVII.

PLACE OF PAYMENT.

Section 89.—A pension or gratuity is payable at any treasury in India, or, if the recipient is resident in Europe, at the Home treasury of the Government of India in London. Payable at any treasury.

1. At the Home treasury, pensions are paid quarterly, at the rate of exchange which is annually fixed for the adjustment of transactions between the British and Indian exchequers.

2. Rule 1 applies to an officer under covenant, who is entitled by his covenant to pension in accordance with the rules applicable to uncovenanted officers; the covenanted rate of exchange for his pay and allowances does not, unless it is expressly so stated, apply to his pension.

Section 90.—Transfer of pension from the Home treasury to an Indian treasury, or *vice versâ*, is permitted only once. Transfer between England and India.

* See Appendix C, Extract 3.

1. An application for transfer of payment from India to the Home treasury should be made to the Accountant General within whose jurisdiction the treasury of payment is. If the transfer is admissible, he will grant a last-pay certificate, forwarding a duplicate,* with copy of the first page of the application upon which the pension was originally granted to the Comptroller General (or, in Bombay and Madras, to the Local Government) for transmission to England; if not admissible, he will take the orders of the Government of India in the Financial Department.

2. If the pension is not wholly chargeable against the General Revenues, care must be taken to state on the certificate how it is to be debited.

Transfer in India.

Section **91**.—A Local Government or an Accountant General may, on application, and on sufficient cause shewn, permit transfer of payment from one treasury in India to another. This jurisdiction may be delegated, by the Local Government, to Commissioners of Divisions or to any higher executive authority.

1. Copy of any order issued by a Local Government or other executive authority under this Section should be forwarded to the provincial Accountant General, and the Collector of the District from which the payment is to be transferred should be instructed to return his half of the permanent-pay order. The Accountant General will then issue a new one to the officer who will in future pay the pension, or, if the officer belongs to another province, will move the Accountant General of this province to do so.

2. A District officer may authorise payment in any of the outlying treasuries subordinate to the District treasury, of a pension payable, under proper authority, at his head-quarters, and may transfer the payment of a pension from such subordinate treasury to the District treasury, or from one subordinate treasury to another in the same District.

CHAPTER XVIII.

LAPSE AND FORFEITURE OF PENSIONS.

Through falling in arrears.

Section **92**.—If a pension payable in India, remains undrawn for more than six months, the permanent-pay order must be returned to the Accountant General and the pension ceases to be payable. If the pensioner afterwards appears, the disbursing officer may reclaim the permanent-pay order and renew the payment; but the arrears cannot be paid without the order of the

* See first foot-note on page 138.

Local Government obtained through the Accountant General.

1. If the suspension of payment is attributable to error or neglect by any public officer, the Accountant General may direct payment of the arrears without taking the orders of the Government.

2. If a pensioner or a person entitled to a gratuity dies, payment of any arrear actually due may be made to his heirs, provided that they apply within six months from his death: it cannot be paid thereafter, without the sanction of the Local Government. Even if the pension or gratuity has not been sanctioned before the death of the officer, the payment may be made, under the orders of the Local Government. If an officer dies before actually retiring or being discharged, his heirs have no claim to anything.

Section **93**.—Future good conduct is an implied condition of every grant of pension. The Government reserves to itself the right of withholding a pension, if the pensioner be convicted of serious crime, or be guilty of grave misconduct.

CHAPTER XIX.

COMMUTATION OF PENSIONS.

Rate of commutation.

Section **94**.—A life pension not exceeding twenty rupees a year may, at any time, on certificate of good health by the Medical officer (Covenanted or Uncovenanted) of the District, and provided the pensioner's age does not exceed seventy years, be commuted at the rates shewn in Table A in Appendix E. The pension of a pensioner whose age is more than seventy years cannot be commuted except by special order of the Government of India.

1. If a pensioner whose pension has been commuted, dies before receiving the commutation value, it is payable to his heirs.

2. The only general rules for the commutation of pensions are those in this Chapter. The policy of the Government of India is opposed to the commutation of pensions save under very exceptional circumstances; Local Governments and Administrations should invariably consult the Government of India before ordering (under the operation of Section 10* of Act XXIII of 1871) the commutation of pensions otherwise than as provided for in this Chapter.

* "The Local Government may, with the consent of the holder, order the whole or any part of his pension, or grant of money, or land revenue, to be commuted for a lump sum on such terms as may seem fit."

3. Rule 2 is not to be understood as interfering with the rules which have already been issued with the sanction of the Government of India in regard to the commutation of any special classes of pension in any Presidency or Province.

Commutation of gratuity to annuity.

Section 95.—A gratuity may, at the discretion of the Government of India, or, with the sanction of the Government of India, on the application of the recipient, be converted either to a life annuity, or to a temporary life annuity, or to an annuity payable for a certain number of years, with remainder to the recipient's heirs in case of his death.

1. The amount of a life annuity will be determined in accordance with the rates shewn in Table A printed as Appendix E.

2. The amount of a temporary life annuity will be determined by the formula given in the Note to Table A in Appendix E.

3. In calculating the amount of an annuity for a fixed number of years, the Savings Bank rate of interest will be employed. For the present that rate is 3¾ per cent.—*vide* Table B in Appendix E.

4. The Government of India will never insist on the conversion of a gratuity into a life annuity, or temporary life annuity, unless the expectation of life of the recipient be reported by competent medical authority to be equal to the average.

[NOTE.—These rules for the commutation of gratuities do not in any way modify the periods of service for pension required by the existing rules.]

CHAPTER XX.

RE-EMPLOYMENT OF PENSIONERS AND PERSONS WHO HAVE OBTAINED GRATUITIES.*

After compensation gratuity.

Section 96.—An officer who has obtained a COMPENSATION GRATUITY, if re-employed in qualifying service, may either retain the gratuity, in which case his former service will not count for future pension or gratuity, or refund it and count his former service.

* For the Statute 35 Vic., Cap. 12, which regulates the re-employment of pensioned civil servants of the British Government, see Appendix C, p. 90. It dose not apply to servants of the Government of India.

1. The intention to refund must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of the officer's salary, and not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

After compensation pension.

Section 97.—An officer who has obtained COMPENSATION PENSION, if re-employed, may retain his pension in addition to his pay; provided that the sum total shall not exceed the pay of the appointment on abolition of which the pension was given. If his re-employment is in qualifying service, he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

1. In the case of a Section-writer or Press servant (*see Section* 22) re-employed, the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

2. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by this Section, of ceasing to draw pension and counting his former service, he may not, thereafter, do so without the permission of the Government of India.

3. An officer who under this Section draws pension in addition to pay shall, during leave of absence from his new office, draw so much of his pension as will bring his whole allowances during leave up to the amount which would have been admissible to him if he had taken leave of the same kind under the same circumstances while holding his abolished appointment, provided that his allowances on leave shall never be less than his pension.

After invalid pension.

Section 98.—There is no bar to the re-employment of an officer who has regained health after obtaining INVALID PENSION OR GRATUITY, or, if an officer is invalided as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after compensation pension or gratuity.

CHAP. XX.

Re-employment of pensioners and persons who have obtained gratuities.

After superannuation pension.

Section 99.—An officer who has obtained a SUPERANNUATION PENSION OR GRATUITY is, by the nature of the case, excluded from re-employment.

After retiring pension.

Section 100*.—An officer who has obtained a RETIRING PENSION cannot be re-employed, except on strong public grounds, and with the express sanction of the Government of India in the Financial Department. If so re-employed, he is permitted to draw pension in addition to full pay. There is no objection to the employment of such a pensioner in service paid from Local Funds.

No officer can be permitted to retire with the view of being re-employed, whether in the general service or at the charge of Local Funds, and drawing pension in addition to pay.†

* *Extract from a Financial Despatch from the Secretary of State for India, —No.* 513, *dated 4th December* 1872.

PARA. 2. In reference to this case, you state that, in the Financial Despatch dated the 9th July 1868, No. 290, "the following rule was laid down":—

"When an officer who has retired on a pension obtained, not on medical "certificate, but after a prescribed period of service, is subsequently employed "in any public capacity, he shall be permitted to draw the pension in addition "to the salary of the office to which he may be appointed; but, in the event of "a Military officer resigning the service, after he has been appointed to a civil "office, he must at the same time vacate that office. He may, however, be "re-appointed to the office, not as a matter of course, but only in the event of "your considering it decidedly for the benefit of the public service."

3. You also state that the principle of that rule, which was at first applicable to Commissioned Military officers in Civil Employ, has been extended to all Civil officers, and that Section 100 of the Civil Pension Code provides that "no officer can be permitted to retire with the view of being re-employed, "whether in the general service, or at the charge of Local Funds, and drawing "pension in addition to pay," and you propose that the rule should now be extended to Military officers in Civil Employ.

4. Previous to the receipt by you of the Financial Despatch, dated the 9th July 1868, No 290, it was the invariable rule that a military pension should merge in civil salary, and it was only on "your strong recommendation" that any modification of that rule was authorised.

5. Under the terms of the modification sanctioned in 1868, you have full power to guard against the abuse of the concession granted by declining to re-appoint any officer to a civil appointment who may resign the service for the purpose of obtaining military pension in addition to civil salary; and I am of opinion that you should do so, except under exceptional circumstances, when it is decidedly for the benefit of the public service. I see no objection, however, to your proposition to extend to Military officers in Civil Employ the rule on the subject which you have laid down as regards Civil officers.

† The Governor General in Council observes that in the case of a soldier in civil employ, who has earned his army pension, there is no objection to his being continued in civil employ, on condition that his army pension remains in abeyance during the period of such continuance in civil employ.—*Financial Resolution, No.* 768, *dated 8th January* 1876.

Pension to an officer holding two or more appointments to be deferred until retirement from service.

Section 101.—An officer holding two or more separate appointments may not, save with the express sanction of the Government of India in the Financial Department, receive a pension or gratuity in respect to one or more of such appointments, without retiring from the service altogether. There is no objection to his being relieved from one or more of such appointments at any time, without being compelled to leave the service altogether; but, in such case, any pension or gratuity which may be admissible to him in respect to the office or offices from which he is relieved, will be deferred until he finally retires.

Navy pensioners.

1. THE RULES in this CHAPTER do not apply to an officer pensioned on the abolition of the Indian Navy. If such an officer is re-employed, his service will be on exactly the same terms as if he had never been employed before. But, so long as he is employed, his navy pension will be held in abeyance, excepting so much of it as is necessary to raise his total emoluments to one-and-a-quarter times the amount of his pension. If he has commuted his pension for a single payment, the same deduction will be made from his allowance as if he had not done so.

2. But Engineers, Boiler-makers and Warrant officers of the Indian Navy, who were pensioned on the abolition of this Navy, are permitted to draw pension, during re-employment, in addition to full pay.

Pensioners.

3. The rules in this CHAPTER do not apply to a military pensioner in civil employ; the claims of such an officer to salary, pension, and gratuity in the Civil Department, are dealt with without reference to his military pension. But the pension of a Commissioned officer other than a "good service" pension, or of the heir of a native Non-commissioned officer or soldier, will, during re-employment, merge in his salary.

4. A civil, military, or naval pensioner of any class may, under the orders of the Local Government, be employed without loss of pension, on duty which is *bonâ fide* temporary, lasting for not more than a year.

5. If an officer of the Subordinate Medical Department, holding a civil appointment, continues in civil employ after he has earned his military pension, his pension remains in abeyance.

6. There is no objection to a pensioner of any class being appointed to be Sub-Registrar of Assurances if he be remunerated by fees only.

7. Except as provided in Rules 1, 2 and 3, an officer, who, having been discharged with a pension or gratuity, is subsequently

re-employed, may, under no circumstances, count his new service for a separate pension or gratuity. If pension or gratuity is admissible at all in respect to such new service, it is admissible only for the new service combined with the old, the whole being counted as one service.

CHAPTER XXI.

SPECIAL RULES FOR THE POLICE.

Section **102**.—The following special rules apply to members of Police Forces constituted under Acts XIII of 1856, XXIV of 1859, and V of 1861 of the Governor General of India in Council, Act IV of 1866 of the Lieutenant-Governor of Bengal in Council, and Acts VII of 1867 and I of 1872 of the Governor of Bombay in Council.

1. The Trans-Indus and Port Blair Police Forces, though not organised under Act V of 1861, and never possessing a Superannuation Fund, are on the same footing, as to pension and gratuity, as the legally constituted Police.

MUNICIPAL AND RAILWAY POLICE.

Municipal police.

Section **103** (*a*).—If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions or gratuities.

(*b*).—But if the Government, being interested in the efficiency of a Police Force paid, wholly or partly, by a Municipality, or from Cantonment Funds, or from the General Revenues subsidised by a contribution from a Municipality, or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with, and auxiliary to, the Civil Constabulary, service in such a Force is treated as service under Government. The contributions of Municipalities or of Cantonment Funds towards the cost of the pensions and gratuities of such Forces are, for the present, undetermined.

Exception.—Members of the Police Forces employed by small Municipalities in Sind, and by village communities in the District of Hyderabad in Sind, are not entitled to pensions and gratuities.

1. The Police Forces in the Presidency towns of Calcutta, Madras and Bombay, and in the Municipalities in Lower Bengal, come under this clause.

Railway police.

Section **104**.—Service in the Railway Police on the East Indian and the Sind, Punjab and Delhi Railways, and in Bombay, is treated as service under Government, though such Police are either wholly or partly paid by the Railway Companies.

1. In the Bengal division of the East Indian Railway, the Railway Company pay six per cent. in addition to pay and salary, to discharge their liability for pension. In the other divisions another arrangement is in force.

QUALIFYING SERVICE.

Qualifying service

Section **105**.—Service in any of the Police Forces mentioned in Section 102, after the establishment of a Superannuation Fund* in the Force, qualifies.†

1. Members of office establishments permitted to subscribe to the Police Superannuation Funds by Financial Department order No. 3398, dated 27th July 1863, may count the service during which they so subscribed.

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* The Superannuation Funds were Funds to which, with the exception of certain soldiers of the Sikh Darbar (*see Section* 18 (*e*)) and members of the Oudh Military Police, Police officers whose pay did not exceed twenty rupees were obliged to contribute. By these contributions they became entitled to pensions according to the rules of the several Funds.

Officers whose pay exceeded twenty rupees did not contribute, as they came under the operation of the ordinary pension rules.

By Act X of 1869, the Superannuation Funds established under Acts XXIV of 1859, and V of 1861 of the Governor General of India in Council, and VII of 1867 of the Governor of Bombay in Council, were abolished. The Superannuation Funds which had been established in the Madras town police, under Act XIII of 1856, having been, by Act VIII of 1867 of the Governor of Madras in Council, amalgamated with that established under Act XXIV of 1859 of the Governor General in Council, was abolished with the latter. The Funds established under Act IV of 1866 of the Lieutenant-Governor in Council, and Act I of 1872 of the Governor of Bombay in Council, in the Calcutta and Bombay town police, are still in existence.

In the Police Forces of which the Superannuation Funds were abolished, the pay of the men was reduced, either individually or on the average, to its previous nominal amount, less subscriptions to the Funds, the Government undertaking the liabilities of the Funds.

† *Letter from Government of India, Financial Department, to Government of Bombay,—No.* 1051, *dated* 23*rd June* 1876.

I am directed to acknowledge the receipt of your letter No 1860, dated 27th April 1876, enquiring whether armourers, bellows-boys, bhistees, and muchies who have subscribed to the Police Superannuation Fund should be allowed pensions according to the special rules for the police, or according to the scale prescribed in section 65 of the Civil Pension Code, and whether in the latter case, the subscriptions recovered from them on account of the Police Superannuation Fund should not be refunded.

2. In reply, I am to say that, as a general rule, the subscriptions recovered from the employés in question should be refunded to them with interest, and

Special Rules for the Police.

Exceptional privileges.

Section **106**.—In the following cases, members of Police Forces have exceptional privileges in regard to pension :—

Sikh Darbar soldiers.

(*a*).—Soldiers of the Sikh Government to whom service was guaranteed (*see Section* 18 (*e*)), and who, on the breaking up of the Punjab Military Police in which they had enlisted, were transferred to the Civil Police, are, if their pay does not exceed twenty rupees, entitled to invalid pensions at line rates for their service under the Sikh Darbar, and in the Military Police, and in the Civil Police. First class Sergeants get pension as Havildars, second class Sergeants as Naiks, and Constables as Sepoys.

Oudh military police.

(*b*).—Men who after completing, on 3rd May 1861, four years' service in the Army, or in the Oudh Military Police, were transferred to the Oudh Civil Police and were in employ in this force on 26th January 1864, are, if their pay does not exceed twenty rupees, entitled for their service in the Army, and the Military Police, and in the Civil Police, to pensions on the terms applicable to Local and Irregular troops of the rank corresponding to that which they may attain in the Police.

Mhairwarra battalion.

(*c*).—Men of the Mhairwarra Battalion, who were present on parade on the 1st July 1857, and were, subsequently, transferred to the Ajmir and Mhairwarra Police, are entitled to pensions at the rates for soldiers of the line.

Previous service when qualifying.

Section **107**.—In the following cases, service rendered before enlistment in the new Police Constabulary qualifies :—

Sikh Darbar soldiers and Oudh military police.

(*a*).—In the first two cases mentioned in Section 106, if the men subscribed to the Superannuation Fund in order to obtain the higher pensions admissible under its rules, or if, by serving on pay higher than twenty rupees, they have become entitled to the pension prescribed in Section 111, the previous service mentioned in Section 106 qualifies.

Men of native army.

(*b*).—Soldiers transferred to the Police on the reductions of the Native Army which were made in 1861, count their army service.

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their claims to pensions and gratuities will then be dealt with in accordance with the ordinary rules for inferior servants. In the case, however, of men who have served for not less than ten years, the option should be allowed, *viz.*, either of receiving back their subscriptions and coming under the ordinary pensions rules, or of continuing their subscriptions and eventually receiving pensions under the special rules for the Police.

(1.)—In February 1867 it was declared that this rule would be applicable to all future transfers to the Police on occasions of reduction of the Native Army.

(2.)—In the Punjab Police, men counting service under this rule, if they were faithful during the mutiny when their regiments joined the rebels, are entitled to pensions at the rates for soldiers of the line, instead of the rates of the Superannuation Fund.

(3.)—Soldiers who formed part of the garrison of Lucknow during the siege in 1857, count three years' additional service.

(4.)—A man voluntarily taking discharge from the Army and entering the Police, cannot count past service.

(5.)—Men of the Bhagalpur Hill Rangers, who, on the disbandment of the Corps, took employment in the Police, count their service in that Corps, including the period of employment in it during the time the Corps was under the orders of the Civil Department after the reductions in the Native Army made in 1861.

(*c*).—Men who were enlisted in the Central Provinces Police after discharge with gratuity from the Nagpúr Irregular Force, or who were transferred to the Police from that Force, or from the Mulkí Horse, count their service in these Forces, and also that in the Forces of the late Raja of Nagpúr. Nagpúr irregular force.

(*d*).—Men who served with the 1st Regiment, Nagpúr Irregular Infantry, or with the Mulkí Horse, during the mutiny in 1857, count two years' additional service.

(*e*).—Men of the Berar Police, recruited from the Hill Rangers, count their service in that Corps.

(*f*).—Service in the 1st Bengal Military Police battalion and service in the Oudh Military Police qualifies. Military police

(*g*).—Service in superior grades in the old Civil and Military Police (*i. e.*, Darogas and officers of higher rank in the Civil Police, and Jamadars and Officers of higher rank in the Military Police) or in any other Department qualifies. Previous superior service

(*h*).—Service in the special Levy of two hundred and thirty men, which, during the mutinies, was organized in the Kaira district, under the supervision of Mr. L. R. Ashburner, then First Assistant Magistrate of Kaira, qualifies.

(*k*).—In the North-Western Provinces, the Punjab and Oudh, men count half their service in the inferior grades in the old Civil and Military Police.

Army service and Military police service.

(*l*).—Men transferred from the Army to the Military Police in the years 1858 to 1861, preserved whatever title they had, at the time of transfer, to pension for Army Service. At the same time, service in the Military Police did not give any further title to pension, except in the cases specially mentioned above. Accordingly, men who possessed this title to pension for Army Service, and were transferred from the Military Police to the Civil Police, count their previous Army Service.

Pension for army service how chargeable.

(*m*).—Pensions granted to men who count Army Service under the above Rules are, if their service in the Army was sufficient to entitle them to pension if discharged without fault, a charge on the Military Department; otherwise they are a charge upon the Civil Department.

Break in service.

Section 108.—A Policeman on pay not exceeding twenty rupees, who re-enlists within one year after discharge, may, at the discretion of the Inspector General, count his service before discharge.

AMOUNT OF PENSION OR GRATUITY.

Officers on pay not exceeding Rs. 20.

Section 109.—The pension or gratuity admissible to an officer whose pay at date of discharge or resignation does not exceed twenty rupees, will be determined, as prescribed in Section 110, according to one of the following scales:—

SCALE A.

According to the rules of the Superannuation Fund of the Force.

1. As the rules of the Superannuation Funds did not always provide for compensation pension or gratuity, the following orders were issued with reference to the reductions directed in 1869:

(1).—Compensation pension and gratuity should be awarded at the same rate as the Superannuation Fund Rules provide for invalid pensions and gratuities.

(2).—But if the gratuity thus awardable is less than the amount (without interest) of the officer's subscriptions to the fund, the difference should be made up.

SCALE B.

According to the rules prescribed in Chapters XI, XII, and XIII, for the calculation of pensions and gratuities for superior service, except that (1) all service in the Police after the age of 18 years qualifies; (2) in addition to the leave

which, under Chapter IX, is reckoned as service, one year's leave in fifteen years' service, and two in thirty years' service, is so reckoned.

Section **110** (*a*).—The pensions and gratuities of officers of the town Police of Calcutta and Bombay are regulated by scale A.

(*b*).—The pension or gratuity of an officer of any other Force is regulated as follows:—

(1).—If he was in the Police before the 19th July 1871 and has served continuously since that date;—by scale A or scale B according to his election (which, by order in the Financial Department No. 2091, dated 19th July 1871, he was required immediately to declare). Provided that in the case of an officer who has elected to abide by scale B, such election shall not prejudice his title to count as service for pension or gratuity any leave obtained by him before his election, which under the rules of the Superannuation Fund, would have counted for pension or gratuity.

(2).—If he was enlisted or re-enlisted on or after the 19th July 1871;—by scale B.

Officer on pay exceeding Rs. 20.

Section **111**.—The pension or gratuity admissible to an officer whose pay at date of discharge or resignation exceeds twenty rupees, is determined by the rules which apply to ordinary service, except that service rendered after the completion of 22 years of age, and declared by this Chapter to be qualifying, is treated as superior service, and that the benefit of the rule in Section 108 is not withdrawn from a Police officer by reason of his being *promoted* to pay exceeding twenty rupees a month.

1. When a Police officer, by promotion to a pay exceeding twenty rupees, loses any benefit as to pension or gratuity which he would have enjoyed had his pay remained unchanged, his pension or gratuity may be regulated as if he had not received the promotion.

Previous inferior service.

Section **112**.—If part of an officer's continuous service qualifies for pension or gratuity under the general

rules of the Code, but does not qualify under the rules in this Chapter, he may elect to receive, in lieu of the pension or gratuity admissible under the rules in this Chapter, such pension or gratuity as is admissible to him, under Sections 65 and 66, for the whole of his service, both inferior and superior.

Example.—An officer who was transferred to the present Civil Police from an inferior grade in the old Police, or from the Military Police, and who is not entitled under Section 106 or 107 to count former service, may obtain pension under this Section.

1. An officer who under Section 110 (*b* 1) has elected to abide by Scale B, will, if he takes gratuity under this Section, obtain, in lieu of the scale prescribed in Section 65 (*a*), one month's pay for every complete two years of service, but not more than twelve months' pay in all.

To be calculated on net pay.

Section **113**.—Except in the case of the town Police of Calcutta and Bombay (*Section* 110 [*a*]), pension or gratuity is to be calculated upon the net pay, *i. e.*, the pay actually received by the officer, and not upon the gross pay, *i. e.*, the pay from which were deducted the subscriptions to the Superannuation Funds (*see foot-note to Section* 105). But this rule shall not, until he be either promoted to higher pay, or degraded, for misconduct, to lower pay, be applied to any officer who, on the 19th July 1871, was entitled, by the rules of the Superannuation Fund, to have his pension or gratuity calculated on his gross pay.

1. Good service pay is not reckoned in calculating pension or gratuity, except in the case of those who, before the 19th July 1871, were members of the Police Forces of Bengal (excluding the East Indian Railway Police) or the Punjab.

VERIFICATION OF SERVICE.

Service rolls.

Section **114**. (*a*.)—There shall be kept up for each District by the District Superintendent of Police a service-roll in English, in which shall be recorded the date of the enrolment of each man in the Constabulary; his caste, tribe, village, age, height, and marks of identification at the time of enrolment; his rank, promotion, reduction or other punishment; his absences, on leave or without leave; the breaks in his service, and every other incident in his service which may involve forfeiture of

portions of his service, or affect the amount of his pension or gratuity.

(*b.*)—The roll shall be checked by the vernacular roll and order book and the punishment register, and every entry in it shall be signed by the District Superintendent of Police.

(*c.*)—In addition to the above roll, the Inspector General of Police shall keep a record of all service on pay exceeding twenty rupees (except that of gazetted officers), and shall verify the record annually, in communication with the Accountant General.

(*d.*)—From this roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Section 74, in respect of any service, rendered before enrolment in the Constabulary, which the applicant may be entitled to count.

1. District Superintendents of Police should be on their guard against endeavours to retire on invalid pension by officers who are capable of serving longer. Medical officers should be very searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pension or gratuity is large, the examination should, if possible, be conducted by two Medical officers.

POWER OF SANCTION.

Section **115**.—A claim by a Police officer, on pay not exceeding twenty rupees, to pension or gratuity only for the period of continuous and verified service in the Force in which at the time of application he is serving, may, if admissible under the strict letter of the rules, be allowed by the Inspector General of Police, and reported to the Accountant General with the necessary particulars for identification. Sanction.

All other claims will be treated under the ordinary rules.

1. Claims to extraordinary pension or gratuity (*see Chapter* XXII), even though they may be provided for by the rules of the Superannuation Fund, are subject to the rule in Section 123.

2. The quarterly return submitted by the Local Government to the Supreme Government under Section 79, should contain particulars of all pensions and gratuities granted by the Inspector General as well as by the Local Government, the Government of India, and the Secretary of State for India.

MANNER OF PAYMENT.

Payment.

Section **116**.—Payment of a pension or gratuity shall be made by the Treasury officer of the District where the pensioner resides, on a permanent-pay order (in the case of a pension), and on the identification of the pensioner by the District Superintendent of Police; and special Committees shall be assembled every five years to identify the pensioners.

CHAPTER XXII.

EXTRAORDINARY PENSIONS.

[NOTE.—The rules in this Chapter are analogous to the Regulations for the grant of pensions to soldiers wounded in action and to the heirs of soldiers killed in action.]

A.—In cases of injury or death.

Section **117**.—The following are the rules fore the grant of a gratuity or pension:

(*a*) to a man so injured, in the execution of a public duty, as to be incapacitated for earning a livelihood;

(*b*) to the family of a man killed in the execution of a public duty.

They apply to any person employed in the service of the Government, whether permanently, temporarily, or even casually, and whether remunerated by a fixed salary, or (as, for example, miners in the salt mines) for piece-work. They apply also to Village Watchmen.

Not cases of mere accident.

Section **118***.—An extraordinary pension or gratuity is granted only when injury or death is met in the performance of a duty which is attended with extraordinary bodily risk. The Government recognises no claims on account of loss of life or bodily injury resulting from an ordinary accident.

The following would be regarded as, *primâ facie*, cases of ordinary accident: A Policeman falling from his horse; a Police-

* In an order of the Financial Department, No. 3141, dated 20th September 1873, it was observed that this rule being based upon the analogy of the Regulations for the grant of pensions to soldiers wounded, and to the families of soldiers killed in action, the Government is compelled strictly to limit its application to the cases for which it is intended to provide; and, moreover, that it is obviously inexpedient for the Government to dispense charity in individual cases, or to do anything that might weaken the inducements to officers to secure proper provision for their families.

man on escort duty killed by sun-stroke; a Lascar killed by the snapping of a hawser; a Laborer falling under a burden.

1. The Government recognises no claim by a widow on account of the services of her husband. It is the duty of every Government officer himself to provide for his family.

2. The Government of India are almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule; and the submission of such recommendations, save under very extraordinary circumstances, is disapproved, as calculated only to give rise to hopes that could not be fulfilled.

[NOTE.—In Despatch No. 52, dated 8th February 1870, the Secretary of State observed:

"Grave objections exist to the grant of special pensions to the families of "Uncovenanted servants, every such grant forming a precedent which is quoted "in support of subsequent applications, with less claims to consideration."]

Claims recognised in case of death.

Section **119.**—A pension or gratuity is granted to the family of a man killed in the execution of his duty, only if he had a wife, son or daughter (legitimate), father or mother, dependent upon him for support.

1 (*a.*)—If a pension is granted to a family under this Section, it is allotted, towards the support of the family, to the eldest surviving son;

failing sons, to the eldest widow for the same purpose;
failing both sons and widows, to the eldest surviving unmarried daughter for the same purpose;
these failing, to the father for the same purpose;
and, failing all others, to the mother for the same purpose.

(*b.*)—To a male, pension is given as follows:—

If the pensioner is under six years of age; till he is eighteen years old;
If above six and under fifty years; for twelve years;
If not under fifty years; for life.

(*c.*)—The pension to a female is for life or until marriage:* but on a suitable marriage, she may, at the discretion of the Local Government, have a dowry equal to five years' pension.

(*d.*)—A pension is given to only one member of each family, and no transfer of the pension to another member is permitted on its lapse either by the demise of the pensioner or for any other reason, or, on its remaining in abeyance under the operation of the Rules in Chapter XX.

[NOTE.—The words "towards the support of the family" should be inserted in every order sanctioning a pension under this Section.]

* The Hon'ble the President in Council is pleased to decide that a political, extraordinary or other pension granted on the Civil Department to a female infant, native of Asia, shall, in the absence of special orders to the contrary, last until she leaves her own family to cohabit with a husband, or, being unmarried, attains the age of 16 years, whichever event happens first.—*Financial Resolution No. 3767, dated 31st October 1876.*

Amount of pension.

Section **120**.—The amount of gratuity or pension is to be regulated by—

(*a*) the character and service of the man injured or killed;

(*b*) the nature of the risk undergone, and the conduct of the man in accepting it;

(*c*) the nature and extent of the injury received;

(*d*) the pecuniary circumstances and prospects of the claimant.

1. The Government does not bind itself to grant pension or gratuity in every case, or, if it grants pension, to grant it for life.—(*See Rules under Section* 119.)

Preliminary enquiry.

Section **121**.—Whenever a claim for extraordinary gratuity or pension is made, the head of the office in which the man killed or injured was employed, will hold a formal inquest, taking evidence on the following matters:

(*a*) the circumstances under which the injury was received, or the life lost;

(*b*) the relationship (in the case of death), and the pecuniary circumstances of the claimants.

Pension roll.

Section **122**.—The head of the office will then submit the case, with a report, through his official superiors, to the Government, sending, in the case of a man injured, the usual form of application (*Form A, Appendix A*), and, in the case of a man killed, a statement in Form D, Appendix A.

Power of Local Governments.

Section **123**.—The Local Government may grant a gratuity not exceeding six months' pay (which is ordinarily the maximum given), reporting the grant as in the case of an ordinary gratuity. If the Local Government deems a grant of six months' pay insufficient, it should report the case, with a recommendation, to the Government of India in the Department in which the officer was serving.

1. The Director of State Railways is authorised to sanction the grant of a gratuity to any State Railway servant who may be injured, or to the representatives of any State Railway servant who may be killed, by the working of trains or engines, otherwise than through his own negligence or wilful action, when such gratuity does not exceed a sum equal to six months' pay of the deceased, subject to a maximum limit of Rs. 200.

2. In case of an accident to a person not in Government employ, the Engineer-in-Chief of a State Railway is authorised, after consultation with the Magistrate of the District or Sub-division in which the accident occurred, to award promptly any sum, not exceeding Rs. 50, approved by the Magistrate as sufficient. If the Magistrate recommends more than Rs. 50, the authority of the Director of State Railways must be sought up to Rs. 200.

[*Note.*—Grants under Rule 2 should be charged as part of the working expenses of the Railway concerned.]

3. If the Director thinks Rs. 200 insufficient, a reference must be made to the Government of India.

Power of Supreme Government.

Section **124** (*a*).—The Government of India may at its discretion, under special circumstances, grant a pension, not exceeding twenty-five rupees a month, to a Government officer injured, or to the family of a Government officer killed, in the execution of his duty, as follows:—

(1). To an officer wounded in the first or second degree,* a pension not exceeding full pay.

(2). To an officer wounded in the third or fourth degree,* a pension not exceeding half-pay; or, if the officer is entitled to an invalid pension of half-pay under Section 56 or 63 of this Code, then not exceeding three-quarters pay.

(3). To the family of an officer killed in the execution of his duty, a pension not exceeding half the pay of the deceased officer, and not less than Rs. $2\frac{3}{4}$ (two and three-quarter rupees) a month.

(4). These rules apply to the case of a village watchman or his family, even though he receive no pay from the State.

* *1st Degree.*—Men losing two limbs or both eyes from wounds; or being so severely wounded as to be totally incapable of earning a livelihood and to require the care and assistance of some other person.

2nd Degree.—Men losing one limb or one eye; or being so disabled as to be incapable of earning a livelihood, though not requiring the care of another person.

3rd Degree.—Men not losing a limb or an eye who have received an injury equal to the loss of a limb, or who are otherwise so disabled as to be capable of contributing in only a small degree towards earning a livelihood.

4th Degree.—Men able to contibute materially towards a livelihood, although unfit, from wounds, for the ordinary duties of the service.

(*b*).—The Government of India may, at its discretion, sanction, in lieu of pension under the provisions of clause (*a*), a gratuity in excess of six months' pay, provided that the gratuity shall not exceed one hundred rupees.

B.—Military Service.

Section **125**.—Officers and men, enrolled as volunteers, and having a military organisation, enjoy the same privileges in regard to compensation for wounds as soldiers of corresponding grades, unless they are entitled under the following rules, or under special conditions of service, to higher rates:

(*a*.)—An officer of the Covenanted Civil Service wounded in action while serving (under circumstances justifying his presence) with a Military Force, will receive such compensation as may be granted by the Government of India, subject to the confirmation of the Secretary of State.

(*b*).—Any other civil officer of the Government will receive compensation in proportion to his salary according to the following scale:

If his salary is Rs.	500	a month, or upwards,	as a Captain.
,,	300	,,	Lieutenant.
,,	200	,,	Ensign.
,,	100	,,	Subadar.
,,	50	,,	Jamadar.
,,	16	,,	Sepoy.

(*c*.)—A person not in Civil or Military service, wounded in action while serving (as aforesaid) with Military Forces, will receive compensation according to his station in life as compared with that of a Military officer, each case being considered separately on its own merits by the Government of India, and compensation granted subject to the confirmation of the Secretary of State.

C.—Mutiny Pensions.

Widow's pension.

Section **126**. (*a*).—The widow of an Uncovenanted officer, who receives a pension on account of her husband having been killed in the mutiny, retains half her pension after re-marriage. Her half pension is not increased on second widowhood.

Daughter's pension.

(*b*).—The daughter of an Uncovenanted officer in the Punjab, who receives a mutiny pension "payable till marriage," receives, on marriage, seven years' pension as a dowry.

Appendix A, Form A.

APPENDIX A, FORM A.—(Four pages.)

FIRST PAGE.

Application for Pension or Gratuity.

1. Name of applicant.
2. Father's name.
3. Sect or caste.
4. Residence.
5. Present or last employment, including name of establishment.
6. Date of beginning of service ... ... 1st May 1851.
7. Date of ending of service ... ... 30th June 1871.

	Y.	M.	D.
8. Length of service including breaks ...	20	2	0
of which superior ...	17	2	10
inferior	1	5	0
non-qualifying and breaks ...	1	6	20

9. Class of pension or gratuity applied for, and cause of application.*
10. [Average] emoluments or pay.
11. Proposed pension.
12. Proposed gratuity.
13. Date from which to commence.
14. Place of payment.
15. Date of applicant's birth by Christian era.†
16. Height.
17. Marks.
18. Date

* If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† (If not known exactly, must be stated on the best information or estimate.)

Signature of Head of Office.

History of the Service (showing breaks) of

SECOND PAGE.

Establishment.	Appointment.	Pay.	Acting allowance.	Date of beginning.	Date of ending.	Period reckoned as service. Y. M. D.	Period not reckoned as service. Y. M. D.	Remarks.	How verified.	Remarks by Accountant General.
		Rs.	Rs.							
Collector of Hooghly	Muharrir ...	10	...	1st May 1851	15th Aug. 1851	.....	0 3 15	Inferior grade.	By Accountant General, Bengal.—See enclosure A.*	
Ditto ...	Ditto ...	15	...	16th Aug. 1851	30th Sept. 1852	.....	1 1 15	Under 22 years of age.		
Ditto ... On sick leave	Ditto ...	15	...	1st Oct. 1852	7th May 1856	3 7 7	.....	.....		
				8th May 1856	7th Nov. 1856	.....	0 6 0	.....		
Collector of Hooghly Out of employ	Muharrir ...	15	10	8th Nov. 1856	15th Jan. 1859	2 2 8	0 0 2	Resigned to join new appointment.		
				16th Jan. 1859	17th Jan. 1859	.....				
Post Office, Burdwan Under suspension.	Deputy Post Master ...	25	...	18th Jan. 1859	11th July 1865	6 5 24	.....	... ... Suspension adjudged as a penalty.	Compiler of Post Office Accounts.—See enclosure B.	
				12th July 1865	1st Sept. 1865	.....	0 1 20			
Post Office, Burdwan	Deputy Post Master ...	25	...	2nd Sept. 1865	3rd March 1868	2 6 2	.....	.....		
Ditto ...	Ditto Offg. Post Master	25	10	4th March 1868	3rd Dec. 1869	1 9 0	.....	.....		
Out of employ by abolition of appointment				4th Dec. 1869	1st Nov. 1870	.....	0 10 28			
Judge of Nuddea	Clerk ...	40	...	2nd Nov. 1870	30th June 1871	0 7 29	.....	.....	Accountant General, Bengal.—See enclosure C.	
Total period of superior service ...						17 2 10				

THIRD PAGE.

Remarks by Head of Office.

1. As to character and past conduct of applicant.
2. Explanation of any suspension or degradation
3. Regarding any gratuity or pension already received by applicant, See Chapter XX.
4. Explanation under Section 50, Rule 1, so far as the Head of the office can give it.
5. Any other remarks.

Signature.

Certificate and Report of Accountant General.

Certified that (subject to the remarks below recorded) qualifying service in [*inferior or superior*] grades has been duly proved for years months days; and that a [*pension or gratuity*] not exceeding Rs. , is admissible under Section of the Civil Pension Code. The calculations have been duly verified. The (*pension or gratuity*) is chargeable to (*Here specify whether to General Revenues or to what fund.*)

Accountant General.

FOURTH PAGE—(Docket).

Applicaton for Pension or Gratuity.	
Date of application.	
Name of applicant.	
Last appointment.	
Class of pension or gratuity.	
Amount of pension sanctioned.	
Amount of gratuity sanctioned.	
Date of commencement.	
Date of sanction.	

APPENDIX A, FORM B *of Permanent-pay order.*

(Obverse.)

COLLECTOR'S HALF.

Place for signature of pensioner on the first payment made hereon _____

Class of pension and date of order sanctioning it.	Personal identification	Height		Date or approximate date of birth	Sect or caste	Residence.	Amount of monthly pension
		Feet	Inches				

ACCOUNTANT GENERAL'S OFFICE;

No.____ *Calcutta,*_____187 .

SIR,

Until further notice, and on the expiration of every month, be pleased to pay to _____ the sum of Rupees _____ being the amount of _____ pension, as _____ _____ _____ upon the production of the counterpart hereof, taking from the claimant a receipt for the amount according to usual form.

To the Collector of_____ *Accountant General*

NOTE – *Payment upon this order is to be made only to the pensioner in person,* unless specially exempted, or unless disabled from appearing by illness or bodily infirmity in which case payment may be made upon a life certificate signed by a responsible officer of Government or other well known and trustworthy person

PENSIONER'S HALF.

NAME OF PENSIONER _____

HEAD OF CHARGE _____

Class of pension and date of order sanctioning it	Date or approximate date of birth.	Sect or caste.	Residence.	Amount of monthly pension

ACCOUNTANT GENERAL'S OFFICE

No._____ *Calcutta,*_____187 .

SIR,

Until further notice, and on the expiration of every month, be pleased to pay to _____ the sum of Rupees _____ being the amount of _____ pension, as _____ _____ _____ upon the production of this order and a receipt according to usual form.

To the Collector of_____ *Accountant General.*

NOTE —Payment under this order is to be made only to the pensioner in person, unless specially exempted, or unless disabled from appearing by illness or bodily infirmity, in which case payment may be made upon the production of this order, and upon a life certificate signed by a responsible officer of Government or other well-known and trustworthy person

APPENDIX A, FORM B *of Permanent-pay order.*

(Reverse.)

Reverse of Pensioner's Half. *Every separate payment is to be recorded below by the disbursing officer.*								Reverse of Collector's Half. *This document is to be retained by the disbursing officer so long as the authority remains in force in such manner that the pensioner shall have no access to it. Every separate payment is to be recorded below.*							
When paid.	For the Month of	Amount.	Initials of disbursing officer.	When paid.	For the month of	Amount.	Initials of disbursing officer.	When paid.	For the month of	Amount.	Initials of disbursing officer.	When paid.	For the month of	Amount.	Initials of disbursing officer.

APPENDIX A, FORM C.—(*See Section* 79.)

$\frac{\text{Pensions}}{\text{Gratuities}}$ *sanctioned by the Secretary of State, the Government of India, or the Government of* _____

in all Departments during the quarter ending _____

187—.

[*N. B.*—A separate return should be made of each of the following classes of pensions and gratuities, a note being added of such of these separate returns as are blank :—

I.—Compensation pensions. Superior service.—Sections 50 and 59 (*b* and *c*).

II.—Invalid pensions. Superior service.—Sections 52 and 59 (*b* and *c*).

III.—Superannuation pensions. Superior service.—Sections 56 and 60.

IV.—Retiring pensions. Superior service.—Sections 57 and 61.

V.—Compensation pensions. Inferior service.—Sections 50 and 65 (*b*).

VI.—Invalid pensions. Inferior service.—Sections 52 and 65 (*b*).

VII.—Compensation gratuities. Superior service.—Sections 50 and 59 (*a*).

VIII.—Invalid gratuities. Superior service.—Sections 52 and 59 (*a*).

IX.—Superannuation gratuities. Superior service.—Sections 56 and 60.

X.—Compensation gratuities. Inferior service.—Sections 50 and 65 (*a*).

XI.—Invalid gratuities. Inferior service.—Sections 52 and 65 (*a*).

XII.—Extraordinary pensions.—Sections 117 (*a*), 124 (*a*) and 125.

XIII.—Extraordinary gratuities.—Sections 117 (*a*), 123, 124 (*b*) and 125.

XIV.—Extraordinary family pensions.—Sections 117 (*b*), 124 (*a*) and 126 (*a*).

XV.—Extraordinary family gratuities.—Sections 117 (*b*), 123, 124 (*b*) and 126 (*b*).]

Appendix A, Form D.

Column 1.—Serial number.
" 2.—Name of recipient.
" 3.—Date of recipient's birth by Christian era.
" 4.—Designation of last employment.
" 5.—Name of office in which last employed.
" 6.—Date on which employment ceased.
" 7.—Character.
" 8.—Period counted as service.
" 9.—$\frac{\text{Average emoluments.}}{\text{Pay or emoluments at time of discharge.}}$
" 10.—Amount of $\frac{\text{monthly pension}}{\text{gratuity}}$ granted—

(*a*) Chargeable to Indian Revenues.
(*b*) Chargeable otherwise than to Indian Revenues.
(*c*) Total of (*a*) and (*b*).

" 11.—Remarks.—(Here note any cases where less than the full pension or gratuity admissible has been granted; also note the number and date of the orders of the Government of India or Secretary of State in cases in which the pensions and gratuities are sanctioned by the Government of India or the Secretary of State.)

APPENDIX A, FORM D.—(*See Chapter XXII, Section* 122.)

Application for an extraordinary pension or gratuity for the family of_____late a_____

_____killed in the execution of duty.—Submitted by the_____

(A). Description of claimant.
1.—Name and residence.
2.—Age.
3.—Height.
4.—Religion, caste, or tribe.
5.—Marks for identification.
6.—Present occupation, and pecuniary circumstances.
7.—Degree of relationship to deceased.

Appendix A.—Form D.

Appendix A, Form D.

(B).	Description of deceased.	8.—Name. 9.—Occupation and service. 10.—Length of service. 11.—Pay when killed. 12.—Nature of injury causing death.
(C).		13.—Amount of pension or gratuity proposed.
(D).		14.—Place of payment. 15.—Remarks.

(*Place.*) SIGNATURE OF HEAD OF OFFICE.

(*Date.*)

Appendix A, Form E.

FORM

RETURN OF PENSIONS PAID AT _____

Pensions exceeding Rs. _____ *and not*

	PRESENT AGE (LAST			
	Not more than 50 years.	51 to 60 inclusive.	61 to 65 inclusive.	66 to 70 inclusive.
1.—Number of pensioners on the list at end of last year. Heading 9 of year's return ...				
2.—Deduct the number transferred into the next period of age ...				
3.—Add the number transferred from the last period of age ...				
4.—Number from last year thus corrected for age ...				
5 NEW NAMES BROUGHT ON THE LIST. By new pensions ...				
6 By renewal after being struck off ...				
7 By transfer from other offices ...				
8.—Total of headings 4 to 7, being total number to be accounted for				
9.—Number on pension list at end of year ...				
10 REMOVED DURING THE YEAR. By transfer to other offices				
11 Reported dead ...				
12 By non-appearance for six months.				
13.—Total of headings 9 to 12, being total number accounted for				

NOTES.—Headings 2 and 3 shew the transfers rendered necessary by pensioners passing from one of the ing 2, in the next preceding column

Heading 6. Enter here any persons who, after being entered under heading 12 of the previous 92) are again admitted into the list.

Appendix A, Form E.

E.

DURING THE YEAR 187 -7

*exceeding Rs.*_____

BIRTH-DAY) OF PENSIONERS.					REMARKS.
71 to 75 inclusive.	76 to 80 inclusive.	81 to 85 inclusive	86 and upwards.	TOTAL.	

periods of age into the next. Hence each entry under heading 3 will be the same as the entry under head-
statement as having been struck off the list, on account of non-appearance for six months (Code, Section

APPENDIX B.

I.

PENSION RULES OF 4TH JANUARY 1831.

RULES relative to the grant of Superannuation Pensions to subordinate officers in the Civil Department.

[NOTE.—Subsidiary and supplementary Rules of date later than 4th January 1831 are printed in small type.]

Section 1.—Superannuation Pensions will be granted only to the superior classes of public servants indicated in the annexed list.

[NOTE.—This list is not published, as the Code sufficiently declares to whom these Rules may now be applied.]

Inferior servants, sowars, armed or organised peons, including jamadars and other ranks, lascars, boatmen, artificers, labourers, and menials are to have no claim to such provision.

Section 2.—With the exception of Native Judges and Law Officers, the applicant must have been employed in the public service for a period of at least twenty years.

Section 3.—The public servant, whatever may have been the period of his service, must be incapacitated for further employment, by old age, protracted ill-health, loss of sight, or other bodily or mental infirmity.

Section 4.—The character, conduct, and past services of the public servant must be favorably certified by the officer or officers under whom he may have been employed, and must appear to be such as to entitle him to the favorable consideration of Government.

Section 5.—Whenever it may be judged expedient to grant a pension to a public officer, whose case may come within the foregoing provisions, the amount of the pension shall be limited as follows:

Clause 1*st*.—If the period, during which the individual may have been actually employed in the public service, shall be more than twenty years, but less than thirty years, the

amount of the pension shall not exceed one-third of the monthly salary or authorised official allowances of such individual, calculated on an average of five years previously to the date of application for such pension.

Clause 2nd.—If the period of actual service shall have been thirty years or upwards, the amount of the pension shall not exceed one-half of the salary or authorised allowances of the individual calculated in manner above stated.

1. Pension may be awarded on the above scale, to persons thrown out of employ by reduction of establishment, without their being required to produce medical certificate.

2. In the Despatch from Court of Directors, No. 18, dated 5th May 1854, the following further Rule is prescribed:

"We authorise you to grant to any Uncovenanted servant belonging to a class recognised by the present Rules, who, though not possessed of medical certificate of incapacity, may be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful, efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary which he may have received during the last five years of his service. These pensions are to be regarded as the rewards of good service; they will not, in any case, be claimable as of right, and every pension, which you may see sufficient reason to grant, must be reported to us with a statement of the grounds of your proceeding."

RULES REGARDING SERVICE.

3. The period of service must be continuous, but a break between two periods of employment, if it does not exceed twelve months, and was not caused by dismissal from office for misconduct, will not prejudice the officer in whose service it occurs.

4. To the following extent, leave counts as actual service:

(*a*).—All leave taken before the Uncovenanted Service Leave Rules of 1856.

(*b*).—The following leave taken under the Rules of 1856:

Two out of three years obtainable on medical certificate.

Leave subsidiary to leave on medical certificate.

Privilege leave.

Leave on private affairs on half-pay.

(*c*).—Leave during recess on half-pay granted to Native Surveyors in the Revenue Survey Department, Bengal, North-Western Provinces, and the Punjab.

5. Service before the attainment of 16 years of age does not qualify for pension.

RULES FOR CALCULATION OF PENSION.

6. "Authorised official allowances" include the following:

(*a*).—House-rent allowance, or value of official residence.

(*b*).—Personal allowance given as compensation for reduction of salary.

The following are not included:

(*a*).—Personal allowances otherwise than as above.

(*b*).—Horse and tent allowances.

Clause 3rd.—For Law Officers and Native Judges, the period of 15 years shall be substituted for that specified in clause 1st, and 22 years for the term mentioned in clause 2nd.

1. This Rule applies also to Principals and Head Masters of Colleges and Schools, and also to Inspectors and Professors.

2. The concession granted by the Rule applies only to cases where the whole of the prescribed period of service has been rendered in the privileged capacities.

3. Law officers are a class which now no longer exists. The designation "Native Judges" applies to officers in such positions as Principal Sudder Ameen, and Moonsiff. Goung-gyoups in Burmah are also "Native Judges." Magistrates of Police and Judges of Small Cause Courts are not "Native Judges;" but a "Native Judge" transferred to be a Judge of a Small Cause Court will retain his privileges.

Clause 4th.—The rates of pensions shall be fixed on a graduated scale, within the prescribed limitations, with reference to the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service.

1. The limit of pension in ordinary cases is Rs. 5,000 a year: but this is subject to the Rules under Section 62 of the Code.

2.

RESOLUTION OF 1ST JULY 1870.

Resolution by the Government of India, Financial Department,—No. 1555, *dated* 1*st July* 1870.

As considerable misapprehension exists in regard to the limitations of pensions of Uncovenanted Servants, both under the old and new Rules, the Governor General in Council is pleased to issue the following Resolution :—

RESOLUTION.—Up to 1855 the pensions admissible under the Uncovenanted Service Pension Rules were not formally limited within any maximum amount.

2. On 19th May 1855 the Government of India published a Despatch of the Court of Directors, which limited pensions for Uncovenanted Servants, appointed after that day, to £500 a year if their pay exceeded Rs 1,000 a month, or to £400 a year if their pay ranged from Rs. 700 to Rs. 1,000 a month. This limitation applied alike to the one-third pay pension and to the half-pay pension.

3. In 1862, with reference to the increasing number of well-paid appointments which were being thrown open to the Uncovenanted Service, the Government of Bombay recommended that the class who in the opinion of that Government were exempt from the foregoing limitation, *viz.*, those Uncovenanted Servants who had been appointed to the Government service before 19th May 1855, should, on promotion to an appointment the salary of which is Rs. 10,000 per annum, be called upon to renounce formally any claim to pension beyond the sum of £500 per annum.

4. The Government of India agreed with the Government of Bombay as to the propriety of the limitation, but demurred to the proposal for exacting a formal renunciation of title to a pension exceeding £500 a year from those admitted into the service before 19th May 1855, who might be offered promotion to a salary amounting to or exceeding Rs. 10,000 a year. Hesitation was felt on the following grounds, *viz.* :—

I.—That if a right to a pension exceeding £500 a year ever existed under the Pension Rules of 1831 in favor of those appointed to the service before 19th May 1855, it would be a "doubtful proceeding" to refuse "promotion to a deserving officer unless he will consent to abandon that to which, it is assumed, he has a right under the existing Rules."

II.—That no such right existed under the Rules of 1831, inasmuch as those Rules did not pledge Government to any particular *amount* of pension, but merely prescribed that the pension should not exceed a certain fixed proportion of the effective pay of the applicant, and that, accordingly, it was within the competence of the Government

to define specifically by subsequent Rules, as was done on 19th May 1855, the precise amount within the limit of the prescribed proportions of effective pay which should not be exceeded in awarding pension.

III.—That, in this view, the wording of the order of 19th May 1855, which applied the limitation mentioned in the 2nd paragraph of this Resolution to those only who might be appointed to the service after 19th May 1855, was unhappy, inasmuch as no specific rate of pension had ever been guaranteed to those appointed before that date.

5. Accordingly the Government of India inclined to think, "notwithstanding the difficulty caused by the proceedings of 1855, * * that even now it will be better that the Government should assert its right to alter the Rules of 1831 as regards all appointments clearly not embraced* by the original intention of those Rules, and to declare such alteration applicable to all Uncovenanted Servants, whether they entered the public service before 1855 or since.

6. "But if this be done, it may be right, having regard to the expectations which must naturally have been created by the order of 1855, to allow the full advantage of the Rules of 1831 with respect to all appointments *made up to the present time*,† and held by officers who entered the public service before 1855. Thus, such an officer, already holding an appointment of Rs. 1,500 a month, will, on superannuation after 20 or 30 years' service, according to the class of appointment, be able to claim a pension of £900 a year; but he will not, if hereafter promoted to higher emoluments, be able to claim a still larger pension calculated on those higher emoluments."

7. This reference was submitted to the Secretary of State quite apart from a memorial from Uncovenanted Servants praying for increased pensionary advantages. The Secretary of State, however, answered the reference and the memorial in the same Despatch.

8. In reply to the memorial, he conceded certain additional benefits, but qualified them by a condition that pensions should be limited as follow, *viz.*:—

1*st.*—That half-pay pensions should not exceed £500 a year whatever the amount of salary, or £400 a year when the salary does not exceed Rs. 12,000 per annum.

2*nd.*—That one-third pay pensions should not exceed £300 a year whatever the amount of salary, or £200 a year if the salary shall not exceed Rs. 12,000 per annum.

These form a part of the new Rules.

* *i. e.*, Appointments on salaries exceeding Rs. 600, 700 or 800 a month.
† 6th August 1862.

9. In reply to the reference from the Government of Bombay regarding pensions beyond £500 a year to those who were in the service on 19th May 1855, the Secretary of State decided that "under the existing Pension Rules an Uncovenanted Servant is not entitled to claim a pension of the full amount, which is only authorised as the reward of approved service; and, when the rules were framed, it could not have been contemplated that a larger pension than £500 per annum could ever be granted.

Para. 23 of Despatch dated 8th December 1862.

10. "Under any circumstances therefore the full pension should only be awarded in cases of extraordinary merit.

Para. 24 of Despatch dated 8th December 1862.

11. "With this reservation therefore I concur in the expediency of the proposition* made by you, which must be invariably acted upon as regards promotion subsequent to this† date, and a clause to that effect should be included in the new Rules."

Para. 25 of Despatch dated 8th December 1862.

12. The 23rd and 24th paragraphs of the Secretary of State's Despatch of 8th December 1862 (paragraphs 9 and 10 of this Resolution) were published, but, paragraph 25 not having been published, a memorial was submitted asking for an interpretation of the published paragraphs. In forwarding this memorial, the Government of India explained that "the recommendation which the Government of India submitted on this point was, that those officers who entered the service before the 19th of May 1855 should be allowed, in respect of all appointments made previously to the time of the reference, a pension at the full rate allowed by the Rules of 1831, *whether more or less than* £500 *a year;* but that persons appointed to highly paid offices subsequently to this date (*i. e.*, the time of writing) should be limited as to the amount of pension by the Rule which fixes the maximum pension at £500 a year. The Government of India, then, contemplated a more liberal application of the Rules of 1831 as regards the class of servants referred to than would be admissible under a strict interpretation of the 24th paragraph of your Despatch."

13. The reply of the Secretary of State is quoted below:—

Secretary of State's Despatch No. 20, *dated* 9*th February* 1864.

(Published under notification of the Government of India, Financial Department, No. 1523, dated 19th March 1864.)

"I have considered in Council your Financial Letter dated the 13th October 1863, No. 127, forwarding a memorial from certain Uncovenanted Officers at your Presidency requesting an interpretation of paragraphs 21 to 25 of my Financial Despatch dated the 8th December 1862, No. 205, which relate to the limitation of pensions to Uncovenanted Servants to £500 per annum.

* Paragraph 6 of this Resolution.
† 8th December 1862.

Appendix B.—Resolution.

"2. In the Letter from your Government dated the 6th August 1862, No. 111, you stated that the Uncovenanted Service cannot claim to have any rights under the Rules of 1831 beyond what may be considered to arise out of the general pledge which those Rules may be taken to give,—that a member of that service when rendered incapable of further duty shall not be discharged without some pensionary support. As regards the amount of pension to be given, the Rules merely fix a limit which is not to be exceeded, and although it has, with rare exceptions, been the practice to allow the highest pension of which the Rules allow, this practice cannot be admitted to confer on the Uncovenanted Service any right to claim that maximum in all cases, without any regard whatever to the original design and scope of the Rules.

"3. In that view Her Majesty's Government fully concurred. It was therefore decided that Uncovenanted Servants appointed prior to the 19th May 1855 (the date of the Court's Despatch limiting pensions to £500 per annum) whose average salary during the last five years of their service shall have exceeded Rs. 10,000 per annum, and also those who were promoted prior to the 6th August 1862 (the date of the letter from the Government of India relative to the limitation of pensions to Uncovenanted Servants) to offices to which salaries exceeding Rs. 10,000 per annum are attached, shall, if their average salary during the last five years of their service exceed that amount, be allowed, in cases of extraordinary merit, pensions exceeding £500 per annum,—the amount of excess to be governed by the merits and services of the retiring servant, and to be limited to an amount consistent with a due regard to the public interests. In regard to Uncovenanted Servants who have rendered approved services of only an ordinary character, the pension must in no case exceed £500 per annum.

"4. An Uncovenanted Servant promoted subsequently to the 6th August 1862 to an office to which a salary exceeding Rs. 10,000 per annum is attached, is not to be granted an increased pension in consequence of the increase to his salary."

14. This reply did not embrace the cases of persons appointed before 19th May 1855 whose salaries, at the time of retirement, may be less than Rs. 10,000 per annum. In respect of such persons it was urged by the Government of India, in a Despatch to the Secretary of State, No. 31, dated 5th February 1868, that inasmuch as the orders of the 9th February 1864 "recognise the claim to a pension of Rs. 5,000 per annum, or one-half of salary, on the part of an Uncovenanted Servant whose average salary for the last five years of service is Rs. 10,000 per annum, Uncovenanted Servants with salaries of less than Rs. 10,000 per annum who were appointed before the 19th May 1855 might be allowed one-third or half-pay pension, irrespective of the limits laid down in the new Pension Rules, which may be restricted to the cases of Uncovenanted Servants appointed after the 19th May 1855."

15. The Secretary of State, however, in a Despatch No. 400, dated 18th November 1869, negatived the recommendation, observing that there was no ground "for excepting Uncovenanted Servants with salaries of less than Rs. 10,000 per annum from the Rules applicable to Uncovenanted Servants with salaries exceeding that amount;" and added, that "if in any particular case of a servant whose salary is less than Rs. 10,000 you should consider that unusually meritorious service calls for a relaxation of the restriction contained in the Rules, I shall be prepared to consider any recommendation you might make for the grant of a special pension, as already allowed in regard to servants with higher salaries."

16. Three other classes of officers have been exempted from the limitations of the half and one-third pensions prescribed by the new Pension Rules, *viz.*:—

I.—In a Despatch No. 84, dated 31st March 1865, the Secretary of State ruled that "Civil Engineers who entered into covenants when the old Uncovenanted Leave and Pension Rules were in force" might be allowed "the benefit of those Rules in regard both to leave of absence and pension, and any covenanted Engineer so situated may therefore have the option of selecting which Rules he will abide by; but having once made his selection he is not to be permitted to avail himself of any of the advantages of the other Rules."

II.—In Financial Resolution No. 1852, dated 16th August 1865, the benefit of the foregoing decision was extended to certain officers of the Telegraph Department who had executed their covenants before the publication, in June 1863, of the new Uncovenanted Service Leave and Pension Rules.

III.—Under an impression that the classes of officers who in the old Pension Rules were designated as Law Officers and Native Judges had ceased to exist, the Secretary of State, in a Despatch No. 290, dated 23rd December 1865, declared the new Rules applicable to all Uncovenanted Officers in the Judicial Department. In reply, the Government of India explained that the term Native Judges included Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, and that to these the old Rules assured a pension equal to one-third salary after 15 years' service and equal to one-half after 22 years' service, when the applicants were certified to be unfit for further duty. Thereupon the Secretary of State observed in his Despatch No. 174, dated 31st July 1866, that "it was not understood that the exceptional advantages granted by the old Uncovenanted Service Pension Rules to 'Native Judges' extended to Native Judicial Officers of other grades." So far as relates to

any who can be considered entitled to benefits granted by the old Rules to officers of that class, I am willing that they shall still be considered eligible to the pensions allowed by those Rules; but, with reference to all future appointments, I see no ground for making a distinction between Native Judges and the general body of Uncovenanted Servants, for whom the new Rules make liberal provision." This Despatch was published by the Government of India on the 29th October 1866.

17. The Rules, therefore, regarding the limitations of the amount of pensions of Uncovenanted Servants may be thus summarised:—

I.—The limitations prescribed by the Uncovenanted Service Pension Rules of April 1864 in regard to one-third and one-half pensions do not apply to Uncovenanted Servants of the three classes noted in the margin. Ordinarily the limit of pension for these classes of servants will be £500 per annum. In cases of extraordinary merit, Uncovenanted Servants of the 1st of the said classes may be allowed pensions exceeding £500 per annum, the amount of excess to be governed by the merits and services of the retiring servant, and to be limited to an amount consistent with a due regard to the public interests.

1. Officers who entered the service before 19th May 1855, or were promoted before 6th August 1862 to salaries exceeding Rs. 10,000 a year, and whose average salary during the last five years' of service exceeds that sum.

2. Covenanted Civil Engineers in the Public Works Department, and certain civil covenanted Officers of the Telegraph Department, who entered the service before the promulgation of the new Rules, and have elected to abide by the old Pension Rules.

3. Native Judges who were in the service on the 29th October 1866.

II.—In all other cases, the pensions of Uncovenanted Servants are subject to the limitations of the new Pension Rules of 8th June 1863 and 13th April 1864, but for "unusually meritorious services" special pensions may be allowed by the Secretary of State to any appointed before 19th May 1855.

APPENDIX C.

EXTRACTS.

I.

From the letter of the Government of India in the Financial Department, to the Government of Bengal, No. 3177, *dated* 31*st August* 1871.

4. The references made in your letter to a proposed formation of a Pension Fund by deduction from salaries probably arise from

the orders of this Department, No. 940, dated 16th June 1870, which contained, as models, certain Rules proposed by the Government of Bombay for the constitution of an Educational Pension Fund there.

5. The Government of India, on a reconsideration of the whole subject, is disposed to withdraw the approval which it then expressed of the scheme set forth in these Rules. There is an almost entire absence of data on which to estimate the amount of deduction which would be necessary to render such a Fund solvent; and such calculations as can be made, render it extremely doubtful whether five per cent. is nearly enough to cover the contingent charge; and it is of course out of the question to guarantee from Imperial Revenues the solvency of any such Fund. A Pension Fund formed by deduction from salary is, perhaps, objectionable also on another ground, namely, that it, to a certain extent, unnecessarily fetters the hands of the employer.

6. In the case, therefore, of Local Funds which will, beyond a doubt, be able, without embarrassment, to meet the pensionary claims of employés, it seems to the Government of India that it would be best, should the Local Government think proper to grant to the employés a right to pension, to leave the pensionary claims to be met when they arise. And in the case of Local Funds regarding whose position there is not the same absence of doubt, it would appear to be the wisest course to abstain from making any absolute promise of pension. The ability of such Funds to provide any pensions which, on special grounds, it may be deemed desirable to grant, can be more easily determined when the claim is presented for consideration, than it can be at a time antecedent by many years, to the actual accrual of the charge.

7. It might even be a matter for the consideration of the Local Government whether, considering the peculiar constitution of Local Funds, it would not be well, especially in the case of such as are of uncertain solvency or stability, to credit to a separate account the capital value of any pension granted. The necessity of providing at once the entire value of a pension, instead of throwing the charge forward upon future years, would perhaps afford a useful check against indiscriminate recommendations by those who have the management of the Funds.

2.

From Resolution of the Government of India in the Financial Department, No. 4359, *dated* 14*th October* 1871.

The position of the Government of India, and the difficulty experienced by Native States and public bodies in obtaining competent officers without its assistance, frequently render it necessary for the Government, for political or for public reasons, to transfer its officers to service paid for from sources other than its own

revenues. Such transfers would, as a general rule, be impossible if the condition were insisted on, that the officer transferred should give up his privileges as an officer in theservice of the Government of India; and in the papers above read, the question is discussed what financial arrangements are proper to be made in the case of officers of Government lent to, or transferred to service paid by, Native States, Municipalities, and other bodies financially independent of the Government of India, such as Courts of Wards, Port Trusts, &c., and permitted at the same time to retain their privileges as servants of the Government of India.

2. The remuneration of officers of Government may be thus classified—

Immediate,—Their pay and allowances while on duty;
Contingent,—Their absentee allowances;
Deferred,—Their pensionary allowances;

and such officers when lent to Native States, &c., though they obtained their "immediate" remuneration from the State or Fund at the charge of which they are employed, look, for the most part, to the Government of India, for their "contingent" and "deferred" remuneration.

3. It may sometimes be expedient, for special reasons, that the Government of India should bear such charges; but, as a rule, it is not so; and it is necessary to prescribe the conditions which should be imposed, so that such charges may be avoided, unless the Government, for special reasons, accepts them.

4. The Government of India have, accordingly, resolved to require, on account of every officer lent or transferred to a Native State, or a Municipality or other financially independent body, who is permitted to retain his position in relation to the service of Government, and his claims to absentee and pensionary allowances under the Rules of the service to which he belongs, and with regard to whom the exemption contemplated in paragraph 3 is not declared, a contribution proportional to the salary which he receives, and regulated on the following principles.

5. In the first place it is to the officers themselves, and not to their employers, that the Government will look for the contribution required: any other course would be productive of difficulty and inconvenience.

6. In the second place a calculation founded upon such data as are available, shews that the cost to Government of the charges above classed as contingent and deferred, excluding, however, privilege leave allowances, is about one-quarter of the amount actually disbursed in the form of "immediate" remuneration.

* * *

13. In the case of Covenanted Civil Servants the contribution of one-fifth required by this Resolution includes the four per cent. deduction to the Annuity Funds which will not be separately levied. The amount of the contribution to be credited to the Annuity Fund

is 3½ *per cent.* of the full nominal pay and acting allowance, being one twenty-fourth part of the amount retained by the officer after deduction.* This proportion, being one-sixth of the entire contribution, will be credited to the Annuity Funds so long as they are maintained.

* *i. e.*, the same as 4 per cent. retained out of 100.

3.

Extract from Resolution of the Government of India in the Financial Department, No. 1586, *dated* 22*nd March* 1871.

The Governor General in Council has had under consideration the question of how to guard against fraudulent claims to pensionary allowances being put forward by strangers after the actual incumbents are dead.

2. The chief protection against such claims must be the careful testing by the disbursing officer of each claim at the time it is presented.

3. But it seems advisable also that statistical information regarding pensions should be kept up; and, for this purpose, His Excellency in Council is pleased to direct that, from every office where pensions are disbursed, Returns in the annexed Form shall annually be made to the Account office to which it is subordinate:—

(1).—For pensions not exceeding Rs. 10.

(2).—For pensions exceeding Rs. 10, and not exceeding Rs. 50.

(3).—For pensions exceeding Rs. 50.

4. The Account officers should scrutinise the information thus received in order that enquiry may be at once made where any remarkable longevity appears, or where any other anomalous features present themselves.

5. His Excellency in Council is well aware that there is great difficulty in exercising a check, by this means, on the action of local officers. The instances in any single disbursing office are necessarily too few to warrant the assumption that their departure from mathematical regularity requires any special explanation; and, on the other hand, in the compilation of the figures of several offices, the effects caused by the perpetration of frauds in any one would probably disappear in the mass.

6. But, while His Excellency in Council, in view of this difficulty in supervising this particular part of their work, confidently expects, at the hands of local officers, extreme caution in dealing with claims to pension, he does not doubt that the information contained in the Forms now prescribed will be found, in both central and local offices, to be of great value.

Appendix C.

STATUTE 35, VICTORIA, CAP. 12.

An Act to amend an Act of the fourth and fifth years of King William the Fourth, Chapter twenty-four, intituled "An Act to alter, amend and consolidate the laws for regulating the pensions, compensations and allowances to be made to persons in respect of their having held civil offices in His Majesty's Service.

(13*th May* 1872.)

Whereas by an Act passed in the Session holden in the fourth and fifth years of King William the Fourth, Chapter twenty-four, "to alter, amend and consolidate the laws for regulating the pensions, compensations and allowances to be made to persons in respect of their having held civil offices in His Majesty's Service," it is provided amongst other things "that in case any person enjoying any superannuation allowance in consequence of retiring from office on account of age, infirmity or any other cause, or enjoying any compensation for past services, upon the abolition or reduction of office, shall be appointed to fill any office in any public department, every such allowance or compensation shall cease to be paid for any period subsequent to such appointment if the annual amount of the profits of the office to which he shall be appointed shall be equal to those of the office formerly held by him; and in case they shall not be equal to those of his former office, then no more of such superannuation allowance or compensation shall be paid to him than what with the salary of his new appointment shall be equal to that of his former office."

And whereas doubts have lately been entertained as to whether the expression "office in any public department" as used in the abovementioned provisions extends to public departments in any part of Her Majesty's dominions beyond the limits of the United Kingdom.

And whereas it is expedient to remove such doubts:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Explanation of Section twenty of 4 and 5 W. IV, c 24.

1. It is hereby declared that the expression "office in any public department" as used in the abovementioned provision of the said Act extends, and shall from the date of the passing of the said Act be deemed to have extended, to any office in any public department in the British possessions.

Definition of colony.

2. In this Act "British possession," shall include any territories for the time being vested in Her Majesty by virtue of any Act of Parliament for the Government of India, also any colony, plantation, island, territory or settlement within Her Majesty's dominions, and not within the United Kingdom.

Short title.

3. This Act may be cited for all purposes as "The Superannuation Act, 1872."

APPENDIX D.

OFFICERS LENT TO NATIVE STATES, MUNICIPALITIES, ETC., BEFORE THE 14TH OCTOBER 1871.

Before 14th October 1871, the date of the promulgation of the Rules in Chapter VII, service under Native States, Municipalities, or other bodies financially independent of the Government of India, did not ordinarily qualify, as it did not satisfy the first and third conditions of qualifying service. Unless specially exempted, or unless their case fell within one of the special Rules stated beneath, officers, not being Convenanted Civil Servants, or Officers of the Army, who accepted such service, ceased to have any claim on the Government of India in respect of pensions or gratuities. The Rules in Chapter VII do not affect the position of these officers, and they must abide by the conditions under which they left the regular service. In the same way, officers who may transfer their services in future will have no claim unless the transfer is such as is provided for in Chapter VII.

Special Rules in force before the 14th October 1871.

I. Officers transferred by competent authority to service under Native States, for a purpose in which the Government is interested, count their service, as if it were under the Government of India.

The following cases are within this Rule:—

(*a*).*—Teachers transferred to the service of the Chamba state. In this case the pension is paid by the Government of India and the Raja of Chamba according to the Rule of proportions.

(*b*).*—Officers transferred to service in the Kolhapúr school; the pension being chargeable, according to the Rule of proportions, to the Government of India, and to a fund formed by a contribution, proportional to salary, paid by the Chief of Kolhapúr.

(*c*).—Officers transferred, under the authority of the Government of the Punjab, to service under the Bhawalpúr State. In this case the charge for the pension will be shared by the Bhawalpúr State according to the Rule of proportions.

(*d*).—Assistant Opium Agents in independent Native States, whose pay is found by the Native States.

2. Subordinates in the Revenue Survey, temporarily lent to Municipalities for duty which, though paid for by them, also promotes imperial interests, count their service as if it were under Government.

3. Medical officers lent to charitable dispensaries or hospitals in British India, count their service as if it were under Government.

4. Officers transferred, on or after 23rd April 1863, by the authority of Government, or their official superiors, from qualify-

* Applies to transfers before the 22nd October 1875.

ing service under Government, to service of the following descriptions, count their service as if it were paid from the General Revenues :—

Service under the Court of Wards.

Service in Jágír States in Bombay.

Service under the Talukdari Settlement Officer in Bombay.

Provided that six per cent. of the salary be contributed to the Government of India, either by the officer himself, or from the funds whence the salary is paid. This proviso has effect from the 9th November 1870, in the case of service under the Court of Wards, and from the 6th July 1871 in the case of service in Jágír States or under the Talukdari Settlement Officer.

APPENDIX E.

MEMORANDUM ON PENSION-VALUES OF CIVIL PENSIONERS.

The compilation of a table for shewing the capital value of pensions depends upon two data, namely, the rate of mortality and the rate of interest.

2. I shall take these two separately, and first discuss the data as to rate of mortality.

3. Observations of native life are extremely few,—so few indeed, that those Assurance Companies in Calcutta which accept risks on native lives do not base their calculations on any data regarding native life. One office adopts European military rates, and two others take a certain percentage in addition to European civil rates, as the basis of assurance on native lives. If we were to follow them, we should simply adopt for native rates of mortality something in excess of European rates.

4. The only regular investigation regarding native life which, so far as I know, has been made, was the work of Dr. Robert Haines, a Surgeon in Bombay, who made elaborate enquiries on the subject, on the basis chiefly of military records, and whose papers were purchased by the Government of Bombay in 1867.

5. The following is a summary of the rates of mortality that resulted from his investigations, to which I have added, for purposes of comparison, the rates observed in the Bengal Uncovenanted Service Fund:—

Age.	35-39.	40-44.	45-49.	50-54.	55-59.	60-64.	65-69.	70-74.	75-79	80-84.	85-89	90-
A.—Civil Pensioners, Warden's Official Fund, chiefly clerks.	·667	...	1·405	2·651	2·561	2·518	5·301	4·126	3·514	1·676	1·156	2·410
B.—Civil Pensioners, chiefly clerks, superannuated on medical certificate.	4·	7·042	10·236	3·697	4·138	5·138	2·794	8·151	4·474	9·929	3·226	7·895
C.—Native Military pensioners, and a few others,	1·920	2·760	3·764	4·319	5·200	6·554	8·318	9 831	11 750	12·324	14·199	20·455
D.—Uncovenanted Service Fund. (Mr. Woodrow's figures.)	1·78	2·12	2·94	3·99	4·15	7·28	8·45					

Of these series of results, the first (marked *A*) and the second (marked *B*) are based upon observations of only 140 and 164 deaths respectively, so that the area of observation is not wide enough to enable us to accept them with any confidence. This is especially the case with the ages above 80, where, in the first case, the observations were confined to five deaths, in an average of about twenty persons alive each year.

6. The series marked *C* has a much wider area of observation, 6,355 deaths having occurred among the cases observed; the regular gradation of the results also shews that the area has been sufficiently

large to eliminate departures from the average. They may, in my opinion, be accepted as a good guide, in the cases to which they immediately apply, namely, native military pensioners in Bombay; the only question is, whether the circumstances of native civil pensioners in Bengal are sufficiently similar to those of native military pensioners in Bombay, to warrant us in accepting statistics affecting the latter, as a guide towards conclusions affecting the former.

7. I recently had occasion to make a close comparison between the actual deaths occurring among the civil pensioners in Bengal, during the years 1871-72 and 1872-73, and the number of deaths that might be expected according to the rates of the series *C*, just mentioned. I quote here the results of the comparison, and my observations regarding them.

"The following is a summary of the whole of these statistics:—

Description of Pensioners.	Rate of Pension.	Number.	Actual mortality.	Expected mortality.
India .. .	All	204	25	24·5
Bengal, Mofussil ..	Under Rs. 10	500	82	66·
	Under „ 50 ...	357	38	44 5
	Over „ 50	105	28	14·
Bengal, Calcutta ...	Under „ 10	83	9	9·5
	Under „ 50 ..	186	16	24·
	Over „ 50 ...	99	11	13·5
Marine	All	69	4	6·
	Total ...	1,603	213	202

"I think, therefore, that it is a pretty fair conclusion that, so far as can be judged from information and calculations so rough in their nature, the mortality rates, with which we above started, are not far from the average applicable to the case. It is worthy of remark that the younger pensioners shew a tendency to excessive mortality (compared with our initial figures), which is easily accounted for by the fact that they are, by the nature of the case, mostly invalids; and that, as we might have expected, the pensioners of the class between Rs. 10 and 50 seem to be more healthy than those on higher, or on lower, pensions."

8. A similar examination of the Bombay pension returns for 1870-71 till 1872-73, three years, gave—

Rate of Pension.	Number.	Actual mortality.	Expected mortality.
Under ... ... Rs. 10	1,780	337·	325 1
Do. ... ... „ 50	639	126·	108·6
Over ... ... „ 50	210	35·	37·
All .	2,629	498	470 7

the excess of actual mortality occurring chiefly at the ages under 50 and above 75.

Appendix E

9. It seems to me therefore that, pending further observation, we should base our mortality tables upon the rates which we have thus examined. It is necessary, however, to make an alteration in respect of the earlier ages. Pensioners in the Civil Department, of ages 35 to 50, are for the most part invalids, and therefore have necessarily a comparatively high rate of mortality. On this ground, therefore, I have taken the rate for these ages at 4 per cent. instead of at 1·920, 2·760, and 3·764.

10. The second of the data is the rate of interest to be allowed; and this is a matter for the decision of the Government of India, as the capitalised value is to be received by it, and the interest to be given by it. I know, however, that in a similar case, where the Government of India consented to receive money for annuities, simply at a fair rate of interest, without giving any privilege or donation of any kind, it fixed 3¾ per cent. (the present savings bank rate) as the rate which it would give. I take this rate, therefore, as the basis on which to make the calculation.

11. The calculation and the result are shewn in Table A appended.

12. In actual practice, the values received from Local Funds on account of pensions granted, will be credited direct to Government, and the pensions will form a direct charge upon the Government; but if accounts are kept up *pro formâ* in which the amounts received are credited, and the amount of pensions paid are debited, and a sum equal to 3¾ per cent. interest upon the nominal balance credited each year, these accounts will afford an easy means of testing whether the rates of mortality have been so taken as to give fair valuation rates. If the actual mortality corresponds with our estimated rates, the balance of the account should always be equal to the aggregate value of the pensions still outstanding, the values being calculated from the appended table, according to the ages on the date of the valuation. If the actual mortality be less, the balance will be less than the value, and if a decided tendency in this direction should be observed, it will be necessary to revise the rates in favor of the Government. If the actual mortality be greater, the balance will exceed the value, and any marked excess would similarly suggest a revision of the rates in favor of the contributory Local Funds.

13. A small table (Table B) is appended, which may be useful for the conversion of lump payments into monthly payments lasting for a given number of years. The monthly payments thus reckoned are absolute, and are not dependent upon any life.

14. It should be added that the results which are shewn in these tables involve no margin for safety, or for working expenses, no allowance of any kind being made in favor either of the payers or of the receivers of the pension-values. I have confined myself entirely to the question of exact valuation, upon data which involve no margins.

November 1875. J. WESTLAND.

Table A.—Calculation of present value of a monthly pension.

Age. x	Probability of dying in one year.	Probability of living one year.	Logarithm of ditto with interpolations.	Logarithm of No. living l_x	Logarithm of v^x	Logarithm of D_x $=l_x v^x$	D_x	N_x	Logarithm of N_x	Logarithm of $\frac{N_x}{D_x}$	Value of annuity	Adjusted value.*	Value of Pension of Re. 1 a month. Rs. A. P
35	...	...	9·9823	4·0000	9·4404	3·4404	2757	31893	4·5037	1·0633	1 569	12·036	144 6 11
36	...	...	9 9823	3·9823	·4244	·4067	2551	29342	·4675	0608	11·503	11·967	143 9 8
37	·04	·9600	9·9823	·9646	·4084	·3730	2360	26982	·4311	·0581	11·431	11·892	142 11 3
38	...	...	·9823	9469	·3924	·3393	2184	24798	·3944	·0551	11·353	11·811	141 11 9
39	...	...	·9823	·9292	·3764	·3056	2021	22777	·3575	·0519	11·269	11·724	140 11 0
40	...	...	·9823	·9115	·3605	2720	1871	20906	·3203	·0483	11·176	11·626	139 8 2
41	...	...	·9823	·8938	·3445	·2383	1731	19175	·2827	·0444	11·076	11·523	138 4 5
42	·04	·9600	·9823	·8761	·3285	·2046	1602	17573	·2448	·0402	10 970	11·413	136 15 4
43	...	...	·9823	·8584	·3125	·1709	1482	16091	·2066	·0357	10 857	11·294	135 8 5
44	...	...	·9823	·8407	·2965	·1372	1372	14719	·1679	·0307	10 732	11·164	133 15 6
45	...	...	·9823	·8230	·2805	·1035	1269	13450	·1287	·0252	10·597	11·025	132 4 10
46	...	...	·9823	·8053	·2645	·0698	1174	12276	·0891	·0193	10·454	10·875	130 8 0
47	·04	·9600	·9823	·7876	·2485	·0361	1087	11189	·0488	·0127	10·297	10·712	128 8 8
48	...	...	·9820	·7699	·2325	·0024	1006	10183	0079	·0055	10·128	10 540	126 7 8
49	...	...	·9817	·7519	·2165	2·9684	929 8	9253	3·9663	0·9979	9·952	10·359	124 4 11
50	...	...	·9814	·7336	·2006	·9342	859 5	8393	·9239	·9897	9·766	10·171	122 0 10
51	...	..	·9811	·7150	·1846	·8996	793 6	7599	·8808	·9812	9·576	9·977	119 11 7
52	·0432	·9568	·9808	·6961	·1686	·8647	732·3	6867	·8368	·9721	9·378	9·774	117 4 7
53	...	...	·9800	·6769	·1526	·8295	675·3	6192	·7918	·9623	9·169	9·566	114 12 8
54	...	...	·9792	·6569	·1366	·7935	621·6	5570	·7459	·9524	8 962	9·358	112 4 9
55	...	...	·9784	·6361	·1206	·7567	571·1	4999	·6989	·9422	8·754	9·150	109 12 10
56	...	...	·9776	·6145	·1046	·7191	523·7	4475	·6508	·9317	8·545	8·940	107 4 6
57	·0520	·9480	·9768	·5921	·0886	·6807	479·4	3996	·6016	·9209	8 335	8·729	104 12 0
58	...	...	·9756	5689	·0726	·6415	438·0	3558	·5512	·9097	8·123	8·519	102 3 8
59	...	...	·9743	·5445	·0566	·6011	399·1	3159	·4995	·8984	7·914	8·312	99 11 11
60	...	...	·9731	·5188	·0407	·5595	362·7	2796	·4465	·8870	7·709	8·109	97 4 11
61	...	...	·9718	·4919	·0247	·5166	328·6	2467	·3922	-8756	7·509	7·911	94 14 11
62	·0655	·9345	·9706	·4637	·0087	·4724	296 8	2170	·3365	·8641	7·313	7·716	92 9 6
63	...	...	·9690	·4343	8·9927	·4270	267·3	1903	·2794	·8524	7·119	7·526	90 5 0
64	...	...	·9673	·4033	·9767	·3800	239.9	1663	·2209	·8409	6·933	7·345	88 2 3
65	...	...	·9656	·3706	·9607	·3313	214·4	1449	·1611	·8298	6·758	7·174	86 1 5
66	...	...	·9639	·3362	·9447	·2809	190·9	1258	·0997	·8188	6·589	7·008	84 ·1 7
67	·0832	·9168	·9623	·3001	·9287	·2288	169 4	1088·8	·0369	·8081	6·428	6·852	82 3 7

68	...	...	·9609	·2624	·9127	·1751	149·7	939·1	2·9727	·7976	6·275	6·700	80	6	5
69	...	...	·9595	·2233	·8967	·1200	131·8	807 3	·9070	·7870	6·124	6·548	78	9	3
70	...	...	·9580	·1828	·8808	·0636	115·8	691·5	·8398	·7762	5 973	6·400	76	12	10
71	...	...	·9565	·1408	·8648	·0056	101·3	590·2	·7710	·7654	5·826	6·254	75	0	9
72	·0983	·9017	·9551	·0973	·8488	1·9461	88·33	501·9	·7006	·7545	5·682	6·110	73	5	2
73	...	...	·9532	·0524	·8328	·8852	76·77	425 1	·6285	·7433	5·537	5·968	71	9	10
74	...	...	·9513	3·0056	·8168	·8224	66 44	358·7	·5547	·7323	5·399	5·833	70	0	0
75	...	...	·9494	2·9569	·8008	·7577	57·24	301·5	·4793	·7216	5·267	5·704	68	7	2
76	...	...	·9476	·9063	·7848	·6911	49·10	252 4	·4021	·7110	5·141	5·580	66	15	4
77	·1175	·8825	·9457	·8539	·7688	·6227	41·85	210 5	·3233	·7006	5·019	5·458	65	7	11
78	...	...	·9451	·7996	·7529	·5525	35·69	174·8	·2425	·6900	4·898	5·333	64	0	0
79	...	...	·9446	·7447	·7369	·4816	30·31	144·5	·1599	·6783	4·768	5·193	62	5	1
80	...	...	·9440	·6893	·7210	·4103	25·72	118 78	·0747	·6644	4·618	5·034	60	6	6
81	...	...	·9435	·6333	·7050	·3383	21·79	96 99	1·9867	·6484	4·450	4·854	58	4	0
82	·1232	·8768	·9429	·5768	·6890	·2658	18·44	78 55	·8951	·6293	4·259	4·650	55	12	10
83	...	...	·9410	·5197	·6730	·1927	15·58	62 97	·7992	·6065	4·041	4·422	53	1	0
84	...	..	·9391	·4607	·6570	·1177	13·11	49 86	·6978	·5801	3·803	4·171	50	0	10
85	...	...	·9373	·3998	·6410	·0408	10·98	38·88	·5897	·5489	3·539	3·890	46	10	11
86	...	...	·9354	·3371	·6250	0·9621	9·164	29 713	·4729	·5108	3·242	3·572	42	13	10
87	·1420	·8580	·9335	·2725	·6090	·8815	7·612	22 101	·3444	·4629	2·903	3·207	38	7	9
88	...	...	·9270	·2060	·5930	·7990	6 296	15·805	·1988	·3998	2·511	2·796	33	8	10
89	...	...	·9204	·1330	·5770	·7100	5·129	10 676	·0284	·3184	2·082	2·338	28	0	11
90	...	...	·9138	2 0534	·5611	·6145	4·116	6 560	0·8169	·2024	1·594	1·805	21	10	7
91	...	...	·9072	1·9672	·5451	·5123	3·253	3 307	·5196	·0073	1·017	1·161	13	14	11
92	·2045	·7955	·9006	1·8744	·5291	·4035	2·532	0 775	9 8893	9·4858	·306	·749	8	15	10
93	...	...	..	1·3000	·5131	9·8131	0 650	0 125	·0969	·2838	·192	...			
94	...	...	...	0·6000	8·4971	9·0971	0·125	0·000	...	...	...	...			
95	...	...	...	...	...	...	0·000	0·000	...	...	...	...			

* The adjustment is twofold: *First*, the figures in the column "Value of annuity" shew the value at the exact age x, whereas we want for working purposes the value at age x last birthday. This may be taken at the mean between the value at age x and at age $x + 1$. *Secondly*, the value thus given is the value of an annuity defined as a sum payable at the end of each year, provided the recipient is alive at the end of the year; we have to add about ·5 to get the value of the annuity payable monthly up to the date of death.

[NOTE.—To calculate the amount of a temporary life annuity granted under Section 95, the following formula will be employed :—

$$Y = 12 \left\{ \frac{G}{A_x - A_{x+n} \frac{D_{x+n}}{D_x}} \right\}$$

y = amount payable monthly on account of annuity.
G = amount of gratuity.
x = age last birthday.
n = number of years for which the annuity is payable.
A_x and A_{x+n} are the numbers shewn in column headed "Adjusted value" opposite Age x and Age $x + n$ respectively.
D_x and D_{x+n} are the numbers shown in column headed D_x opposite Age x and Age $x + n$ respectively.]

Appendix E.

Table B.—Shewing monthly payments, independent of any life, equal to a present Capital Payment.

Capital Sum.	Monthly Payments.									Capital Sum.
	For 5 years.	For 6 years.	For 7 years.	For 8 years.	For 9 years.	For 10 years.	For 12 years.	For 15 years.	For 20 years.	
100	1·8278	1·5505	1·3527	1·2046	1·0896	·9978	·8605	·7242	·5897	100
200	3·6556	3·1010	2·7054	2·4092	2·1792	1·9956	1·7210	1·4484	1·1794	200
300	5·4834	4·6515	4·0581	3 6138	3·2688	2·9934	2·5815	2·1726	1·7691	300
400	7·3112	6·2020	5·4108	4·8184	4·3584	3·9912	3 4420	2·8968	2·3588	400
500	9·1390	7·7525	6 7435	6 0230	5·4480	4·9890	4·3025	3·6210	2·9485	500
600	10·9668	9·3030	8·1162	7·2276	6·5376	5·9868	5·1630	4·3452	3·5382	600
700	12·7946	10·8535	9 4689	8·4322	7·6272	6 9846	6 0235	5·0694	4·1279	700
800	14·6224	12·4040	10 8216	9·6368	8 7168	7·9824	6·8840	5·7936	4·7176	800
900	16 4502	13 9545	12·1743	10·8414	9·8064	8·9802	7·7445	6·5178	5·3073	900

SUPPLEMENT A.

COVENANTED CIVIL SERVANTS.

Section 1.—Annuities and gratuities are granted to Covenanted Civil Servants of the Crown in India under the following Rules.

Section 2.—" Active service" includes, besides time spent on duty:— Active service.

(*a*). The interval between the date of an officer's first arrival in India, and the date on which he joins his first appointment.

1. The date of an officer's first arrival in India is held to be as follows:—

Before the 31st January 1868;—the date of his actual arrival in India.

From the 31st January 1868 to the 4th May 1869, inclusive;—the date on which he reported his arrival at the capital town of the Presidency to which he was attached; or, if he was attached to the North-Western Provinces, the Punjab or Oudh, and had permission to come to India *viâ* Bombay, the date on which he reported his arrival at Bombay.

From the 5th May 1869. (1)—In the case of an officer, who is posted in England to Upper India, and comes out *viâ* Bombay, and who has been instructed by the Secretary of State to enquire at the Secretariat of the Government of Bombay, for any orders as to his ultimate destination: (*a*) if he receives no orders at Bombay; the date on which he reports himself at Allahabad to the Secretary to the Government of India in the Home department, and to the Secretary to the Government of the North-Western Provinces:—(*b*) if he receives orders at Bombay; the date on which he reports his arrival at any Station or Province to which he is attached by such orders. (2)—In the case of any other officer; the date on which he reports his arrival at the capital town of the Presidency or Province to which he is attached.

2. If an officer does not join his first appointment within the joining time allowed to him, the interval between the end of joining time and the date on which he actually joins, is not reckoned as active service.

(*b*). Time passed in India, out of employ, on subsistence allowance, but not on furlough.

1. If a Covenanted Civil Servant on his first arrival in India is unable, from illness, to proceed to the seat of the Government to which he is attached, or to any other Station to which he is ordered to proceed direct, the Local Government in whose jurisdiction

he is, may, on medical certificate, grant to him a subsistence allowance of two hundred and fifty rupees a month, for not more than two months. Time thus spent, is not reckoned as active service.

(*c*). Subsidiary leave of absence.

1. "Subsidiary leave" includes the corresponding leave (called "special leave") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(*d*). Privilege leave of absence.

1. "Privilege leave" includes the corresponding leave (called "short leave on private affairs" and "leave on private affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(*e*). Leave of absence within the limits of the East India Company's charter, which counted as service and residence under the Covenanted Service Leave Rules in force before the 8th June 1855.

(*f*). Leave of absence on urgent private affairs granted before the 3rd January 1863.

(*g*). Period of absence on duty, of an officer deputed or detained out of India on duty.

1. Examination leave of absence is also reckoned as active service; but not more than twelve months can be so reckoned to any officer.

2. One year of leave of absence on medical certificate was reckoned as "residence" under the Covenanted Service Leave Rules in force before the 1st July 1868. This is not reckoned as "active service;" as a reduction of one year has been made in the period required to qualify for annuity.

Section 3.—Four per centum shall be deducted at the time of payment from every officer's pay and from such of his other public emoluments as are mentioned in the last column of the following Table:—

If the officer was in the service in 1875 or is appointed to it after passing a competitive examination held before the end of the year 1875, and belongs to the	Bengal Establishment,	Every allowance, excepting (1) minimum furlough allowance, (2) subsistence allowance while on furlough, (3) establishment allowance, (4) sumptuary allowance of Lieutenant Governors and Chief Commissioners, and (5) travelling allowance.
	Madras Establishment,	(1) Acting allowance, (2) deputation allowance, (3) personal allowance, (4) fees, (5) allowances while on privilege or subsidiary leave, (6) subsistence allowance when not on leave other than privilege and subsidiary leave, and (7) local allowances other than travelling allowance and tentage.
	Bombay Establishment,	Ditto and (8) sumptuary allowance.

Section 3.

If the officer is appointed to the service after passing a competitive examination held in or after the year 1876,	Every allowance, excepting (1) minimum furlough allowance, (2) subsistence allowance while on furlough, (3) establishment allowance, (4) sumptuary allowance of Lieutenant Governors and Chief Commissioners, (5) travelling allowance, and (6) tentage

1. The deduction from allowances required by this Section is included in the deduction made under Chapter VII of the Code, and is not to be separately made, except when the contribution prescribed in Rule 11, Section 38 of the Code, is calculated upon the salary which remains to an officer after the usual deduction on account of annuity.

Retiring annuity.

Section **4**.—An officer who has been twenty-five years in the service, counting from the date of his covenant, or from the date of the Despatch of the Secretary of State announcing his appointment (whichever may have been earlier),

and who has rendered twenty-one years' active service,

is entitled, on his resignation of the service being accepted, to an annuity of £1000.

Invalid annuity.

Section **5**.—An officer who, being declared by a medical certificate in due form, to be incapacitated for further service, is permitted to resign the service before he is entitled to an annuity under Section 4, is entitled to a gratuity or annuity as follows:

(*a*). If he have been in the service for less than five years;—a gratuity of £500.

(*b*). If he have been in the service for five years or more;—an annuity of £150, *plus* £20 for each complete year of service in excess of five: provided that the whole annuity shall not exceed £450.

Procedure.

1. The following Rules regulate the procedure with respect to applications for annuity or gratuity:—

(*a*). (1) An officer of the Bengal Civil Service serving immediately under the Government of India, if he be in India, shall submit his application for permission to resign the service, and for an annuity, to the Government of India in the Department under which he is serving; and the Department receiving the application will forward it, with any remarks that may be necessary, to the Home Department, which should

obtain the report of the Comptroller General upon the officer's claim in respect of service and active service, and also as to whether there are any demands against him on account of the deduction prescribed in Section 3, or on any other account. (2) Any other officer of the Bengal Civil Service, if he be in India, shall submit his application, through the Local Government under which he may be serving; and the Local Government will forward the application, with any observations which may be necessary, to the Government of India in the Home Department, together with a "no-demand" certificate from the Accountant General. (3) An officer of the Madras or the Bombay Civil Service shall submit his application to the Government of Madras or Bombay, as the case may be. (4) If an officer be in Europe, his application may be submitted to the Secretary of State, who will forward it to be dealt with by the Government of India, the Government of Madras, or the Government of Bombay, as the case may be.

(*b*). In the case of an officer of the Bengal Service, if his resignation be accepted, the case should be forwarded to the Financial Department, in which Department a Resolution will be recorded, granting the annuity or gratuity to which the officer may be entitled.

(*c*). The copy of this Resolution forwarded to the officer will be his authority for drawing the annuity or gratuity.

(*d*). A Covenanted Civil Servant, who resigns the service while he is in Europe, and who has completed the requisite period of service and residence, and elected to draw his annuity from the Home Treasury, can obtain advances from the Secretary of State for India.

Place and rate of payment.

Section 6.—Annuities are payable, in arrear, quarterly, and to date of decease.

The annuity of an officer who leaves India by sea when retiring from the service at the end of subsidiary leave, begins on the day of the departure of the vessel in which he sails. His subsidiary leave ceases after the day before the vessel sails.

Section 7.—Payment of these annuities and gratuities may be taken at the Home treasury in sterling money, or, in India, in Government rupees, at the following rate:

If the annuitant was a member of the Bengal Civil Service;—10⅔ Government rupees for each pound sterling;

If the annuitant was a member of the Madras or Bombay Civil Service;—10·65 Government rupees for each pound sterling.

Transfer from the Home treasury to an Indian treasury, or *vice versâ*, is permitted twice only.

[NOTE.—The reason of the difference in the rates of exchange is to be found in the history of the Annuity Funds. The rates of exchange differ considerably in the various Service Funds.]

1. Whenever a certificate is issued for the payment of an annuity from the Home Treasury, the amount of the annuity must be stated in pounds sterling and not in rupees, and it must be distinctly recorded that no further payment on account thereof will be made in India. Certificate for payment of annuity.

Section 8.*—After thirty-five years' service, counting from the date of his arrival in India, no officer shall be appointed to any new office or be permitted to retain an office which he has held for a period of five years and upwards, except in special cases, which are to be referred for the decision of the Secretary of State. The term "office" in this Section includes an officiating appointment. Compulsory retirement.

SUPPLEMENT B.

JUDGES OF THE HIGH COURTS.

[NOTE.—The following are the Regulations made by the Secretary of State in Council of India, under the provisions of 24 & 25 Victoria, Cap. 104, Sec. 6, respecting the retiring pensions of the Judges of the High Courts. They were approved in the Judicial Despatch from the Secretary of State, No. 43, dated 11th October 1871.]

Section 1.—A Chief Justice of the High Court at Calcutta, after an actual service of eleven and a half years as Judge of the High Court, of which period at least half shall have been in the office of Chief Justice, shall receive a pension not exceeding £1800 per annum.

[NOTE.—In these Rules, "Actual service" includes—

(1). Time spent on duty as a Judge or officiating Judge of a High Court.

(2). Privilege leave of absence.

(3). Subsidiary leave of absence.

* For the analogous rule affecting Military and Naval officers in Civil employ, see foot-note on page 29.

(4). Duly authorised vacations, provided that the Judge is not absent on furlough or extraordinary leave.

"Extraordinary leave" means any leave granted otherwise than under the Rules made by the Secretary of State in Council of India, under the provisions of the Act of Parliament above quoted.]

Section **2**.—A Puisne Judge of the High Court at Calcutta, on the same terms as to length of service, shall receive a pension not exceeding £1200 per annum.

Section **3**.—A Chief Justice of the High Courts of Madras, Bombay, and the North-Western Provinces, respectively, after an actual service of eleven and a half years as Judge of the High Court, of which period at least half shall have been in the office of Chief Justice, shall receive a pension not exceeding £1500 per annum.

Section **4**.—A Puisne Judge of the High Courts of Madras, Bombay, and the North-Western Provinces, respectively, on the same terms as to length of service, shall receive a pension not exceeding £1200 per annum.

Section **5**.—A Chief Justice or Puisne Judge compelled to retire, on medical certificate, after six years and nine months' actual service, shall receive a pension not exceeding one-half the amount of pension allowed for the full period of service.

Section **6**.—In the event of a Judge of the High Court, selected from the Covenanted or Uncovenanted Services, receiving a pension under these Rules, he will not be entitled to any pension or retiring allowance under the Rules applicable to Covenanted and Uncovenanted Servants, respectively.

Section **7**.—When a Judge of the High Court, selected from the Covenanted or Uncovenanted branches of the Civil Service, is permitted to retire before completing the full period of service entitling him to the pension of a Judge of that Court, he shall, on retiring, receive such a pension as he would be entitled to under the Rules applicable to Covenanted and Uncovenanted Servants, respectively, reckoning the period during which he shall have served as Judge of a High Court towards his time for such pension.

Section **8**.—Provided, however, that if a Judge of the High Court, selected from the Covenanted or Uncovenanted branches of the Civil Service, shall be compelled to retire, on medical certificate, after six years and nine months' actual service, he shall be allowed the option of taking his pension or retiring allowance either under these Rules or under the Rules applicable to the service to which he belongs.

Section **9**.—A Judge of the High Court, selected from the Covenanted Civil Service, shall be required to continue his subscriptions to the Civil Annuity and Civil Service Funds.

Section **10**.—If a Judge be transferred from one Court to another, the period for which he has officiated in the first Court shall count as service qualifying for retiring pension.

Section **11**.—If a Puisne Judge be promoted to be a Chief Justice in the same or another Court, the time for which he has served as Puisne Judge will count for pension, according to the rate of a Puisne Judge's pension, and the time for which he serves as Chief Justice will count for pension according to the rate of a Chief Justice's pension.

Section **12**.—If a Puisne Judge of Madras, Bombay, or the North-Western Provinces be promoted to be Chief Justice of Calcutta, the time for which he has served as a Puisne Judge will count for pension at the rate of a Puisne Judge's pension, and the time for which he serves as Chief Justice of Calcutta will count for pension according to the rate of such Chief Justice's pension.

Section **13**.—If a Chief Justice of Madras, Bombay or the North-Western Provinces be transferred to be Chief Justice of Calcutta, the time for which he has served in the former capacity will count for pension according to the rate of pension of a Chief Justice of Madras, Bombay, or the North-Western Provinces, and the time for which he serves as Chief Justice of Calcutta shall count for pension according to the rate of pension of a Chief Justice of the High Court of Calcutta.

SUPPLEMENT C.

CHAPLAINS.

[NOTE.—The Rules in this Supplement are now in general operation, except that the present Senior Chaplain of the Scotch Church in Bombay, when he has served his time for pension, will have the option of continuing to draw allowances on the old scale and abiding by the old scale of pension, or of drawing allowances on the new scale, or retiring, in which case his pension will be regulated by the Rules in this Supplement. The present Senior Chaplain of the Scotch Church in Calcutta has elected the old scales of allowances and pension.]

Section 1.—Pensions are granted to Chaplains under the following Rules.

Residence and service.

Section 2. (*a*).—"Residence" is reckoned, in the case of a Chaplain appointed in England, from arrival in India; and in the case of a Chaplain appointed in India, from date of covenant. It includes (1) time spent on duty, (2) privilege and subsidiary leave, (3) time passed out of employ, in India, otherwise than on leave.

(*b*). "Service" includes "residence," and, also, all time spent on leave of any description; but no time before the beginning of "residence."

Retiring pension.

Section 3.—A Chaplain who has completed seventeen years' residence and twenty years' service, or, if appointed before the 11th January 1854, fifteen years' residence and eighteen years' service, is entitled to a retiring pension of £365 a year.

1. Pensions are granted either by the Government of India, Bombay, or Madras (as the case may be), or by the Secretary of State. A Chaplain proceeding to England after obtaining pension in India, should be careful to take with him the usual last-pay certificate.

2. A Chaplain absent on furlough, may retire without returning to India.

Compulsory retirement.

Section 4.—A Chaplain must retire after twenty-five years' service, unless especially exempted by the Secretary of State, on the recommendation of the Governor General in Council, or, if he belong to the Madras or Bombay establishment, of the Governor in Council of his Presidency.

Section 5.—A Chaplain who is obliged, by bad health, to retire before completing the periods of residence and service required by Section 3, will receive an invalid pension according to the following scale:— Invalid pension

	£	s	d.	
If he have completed ten years' residence ...	173	7	6	a year.
If he have completed seven years' residence ...	127	15	0	„
If he have not completed seven years' residence ...	63	17	6	„

These allowances are admissible only after a trial of a temperate climate, and upon a certificate from the Medical Board attached to the office of the Secretary of State for India, that the officer is permanently unfit to serve in India.

SUPPLEMENT D.

MEMBERS OF THE PILOT SERVICE IN BENGAL.

[*Note.*—The following Rules were declared in 1835.]

Section 1.—In consideration of a monthly contribution to the extent noted in the margin, by the Pilots of the several grades towards a fund for pensionary support to their widows and orphans, the following pensions will be allowed by Government*:—

Contribution		
Branch Pilot, at	Rs. 40	a month.
Master	„ 20	„
First Mate	„ 10	„
Second Mate & Volunteer	4	„

Branch Pilot	Rupees 200	a month.
Master	„ 100	„
First Mate	„ 60	„
Second Mate and Volunteer ...	„ 30	„

FAMILIES.

Widow of Branch Pilot	Rupees 100	a month.
Ditto „ Master	„ 50	„
Ditto „ first Mate	„ 30	„
Ditto „ second Mate & Volunteer	„ 15	„

* In Despatch from the Marine Department to the Court of Directors, No. 26, dated 3rd August 1842, the Government of Bengal recommended, at the instance of the Marine Board, that pensions on the following scale should be paid from

Supplement D.—Members of the Pilot Service in Bengal.

CHILDREN.

Girls until 10 years of age ...	Rupees	14	a month.
„ after 10 years until married...	„	20	„
Boys until 15 years of age ...	„	12	„

1. The widow of a Pilot married to him after he became a pensioner, and the children of such a marriage, are not entitled to the benefit of these Rules.

Section **2.**—(*a*). Pilots are entitled to pension at the above rates on medical certificates by the standing invaliding committee.

(*b*). A Pilot after thirty years' actual service in India, if he shall have attained the grade of Branch Pilot, shall be entitled to retire upon the pension of Government Rs. 200 a month, or if below the grade, upon a pension of Government Rs. 100 a month, provided that in any period of three consecutive years the number of pensions so granted do not exceed four.

Section **3.**—To entitle widows and orphans to the above pensions, Pilots are to forward to the Master Attendant, certificates of their marriage, of the births of their children and of their baptism, within one month after the occurrence thereof. Notices of death are in like manner to be forwarded to the Master Attendant.

Section **4.**—No widow who may have been legally divorced or separated from her husband for adultery, or who at the period of her husband's demise, may have quitted his protection and be living in a state of notorious adultery, though not divorced or separated from him by law, or who, subsequently to her husband's decease, may be living in a notorious state of incontinence, and

---

the General Revenues to the widow and orphan of a Pilot lost with any vessel on board of which his duty may have placed him; the pensions to be in addition to those admissible under Section 1:—

Widow of Branch Pilot	Rs.	30	a month.
Do. Master „	„	25	„
Do. first Mate Pilot	„	20	„
Do. second Mate and Volunteer Pilot ...	„	15	„
Girls until ten years of age	„	6	„
Do. after ten years until married	„	5	„
Boys until fifteen years of age	„	6	„

The Court of Directors did not, however, sanction the scale, observing in their Marine Department's Despatch to the Government of Bengal, No. 6, dated 22nd February 1843, that they thought it preferable that each case should continue to be decided upon according to its merits.

Sections 2—4.

no female orphan living in such state, shall be entitled to receive, or continue to receive, any pension under these Rules.

Section **5**.—If a widow pensioner marries, her pension is to cease during her coverture; but, in the event of her again becoming a widow, she shall be re-admitted to the pension to which she was entitled during her first widowhood, unless her second husband shall have been a member of the Pilot service, and have been at his death of a higher grade than her first husband, in which case she shall be entitled to the pension of the higher rank.

Section **6**.—All pensioners under these Rules are to make personal appearance at the Accountant General's office on the first day of every alternate month, or to afford such other proof of their existence as the Accountant General may, from time to time, require.

Section **7**.—Widows and female orphans above the age of fifteen years are required to forward to the Accountant General's office, declarations, half-yearly, in May and November, that they are not married, and that they have not been married at any intervening period. The declarations are to be countersigned by the executor to the estate of the deceased member of the Pilot service, or pensioner, or by the guardian of an orphan, and by a member of the Pilot service, certifying to the truth of the declaration to the best of their knowledge and belief. Forms of the declaration will be furnished on application at the office of the Accountant General.

Section **8**.—Contributions to the pension fund by members of the Pilot service who joined the service on or before the 1st July 1835, and pensions to them and to their families, will continue to be paid in Sicca rupees. All other contributions, allowances, and pensions, will be paid in Government rupees.

1. If pensions payable in Sicca rupees are paid at the Home Treasury of the Government of India, payment is made at 24·035*d.* for each Sicca rupee.

THE CIVIL LEAVE CODE.

FORT WILLIAM.

FINANCIAL DEPARTMENT.

The 1st December 1876.

FROM the date of the publication of this the third authorised edition of THE CIVIL LEAVE CODE, the second edition, and all notifications and orders thereunder, become obsolete.

This third edition only should hereafter be quoted.

By order of the Governor General in Council,

R. B. CHAPMAN,
Secretary to the Government of India.

THE CIVIL LEAVE CODE.

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THE CIVIL LEAVE CODE.

CHAPTER I.

EXTENT OF APPLICATION.

Section 1.—Leave of absence from duty may be granted under the Rules in this Code to—

(*a*), all Covenanted Civil Servants of the Crown in India, except— Covenanted servants

Lieutenant-Governors;

Ordinary Members of the Council of the Governor General, or of the Governor of Madras or Bombay;

Judges of the High Courts;

(*b*), to all Uncovenanted Officers of the classes enumerated in Schedule A, who either have been, or may hereafter be, appointed to the service of the Government of India by, or with the special sanction of, Her Majesty's Secretary of State for India, or who have been or may hereafter be specially admitted to the benefit of these Rules. Uncovenanted servants

[NOTE.—These officers were admitted to the benefits of these Rules from the 3rd January 1872, being the day on which the Despatch from the Secretary of State No. 451, dated 6th December 1871, was received.]

1. An officer under contract is not entitled to leave, except in accordance with the terms of his contract. But, if an officer of the class defined in clause (*b*) of this Section is, by the terms of his contract of service, entitled to leave under the "Uncovenanted Service Leave Rules," the Rules referred to shall be held to be the Rules in this Code. Officers under contract

Superannuated covenanted

2. No leave, other than privilege leave under Chapter VII, may be granted to any Covenanted Officer who has completed the term of service when by any Rule he is required to retire from the service. Any leave, other than privilege leave, granted to a Covenanted Officer before such date, ceases to have effect on such date.*

and uncovenanted officers

3. An Uncovenanted Officer is eligible, after he attains the age of fifty-five years, for privilege leave, and also for any special leave (Chapter V, and Section 5 of Supplement F) to which he may be otherwise entitled. Any leave, other than privilege leave or special leave as above, granted to an Uncovenanted Officer before the date on which he attains the age of fifty-five years, ceases to have effect on this date.

Section 2.—Subsidiary leave of absence under Chapter VI, privilege leave of absence under Chapter VII, and examination leave of absence under Chapter VIII, of this Code, may be granted to a Military Officer in Civil employ. Otherwise, leave of absence may not be granted, under the rules of this Code, to any Military Officer.

Supplements.

Section 3.—Leave of absence from duty may be granted under the Rules in the Supplements to this Code—

(*a*), to the officers excepted under Section 1 (*a*) (*Supplements A & B*);

Barrister Judges

(*b*), to the following officers, if they are Barristers of England or Ireland, or Members of the Faculty of Advocates of the Court of Session of Scotland, *viz.*,—

Judges of the Chief Court of the Punjab;

First Judges of Small Cause Courts of Presidency towns;

Recorder of Rangoon;

Secretary to the Government of India in the Legislative Department (*Supplement B*);

Law officers

(*c*), to Law Officers of Government (*Supplement C*);

* Applies to a Military Officer in Civil Employ.

(*d*), to Bishops and Chaplains (*Supplements D & E*); Bishops and Chaplains

(*e*), to Uncovenanted Officers other than those mentioned in Section 1 (*b*) (*Supplement F*). Uncovenanted servants.

(*f*), to men of the Port Blair Police (*Supplement G*).

CHAPTER II.

DEFINITIONS.

Section 4.—In this Code, unless there be something repugnant in the subject or context—

(*a*). "Active service" includes, besides time spent on duty,— Active service.

(1), privilege leave of absence;

1. "Privilege leave" includes the corresponding leave, (called "short leave on private affairs" and "leave on private affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(2), subsidiary leave of absence;

1. "Subsidiary leave" includes the corresponding leave (called "special leave") under the Covenanted Service Leave Rules in force before the 1st July 1868; and also preparatory leave under the Uncovenanted Service Leave Rules.

(3), period of absence on duty, of an officer deputed or detained out of India on duty.

In the case of Covenanted Civil Servants, Active Service includes also—

(4), the interval between the date of an officer's first arrival in India, and the date on which he joins his first appointment;

1. The date of an officer's first arrival in India is held to be as follows:— Arrival in India.

Before the 31st January 1868;—the date of his actual arrival in India.

From the 31st January 1868 to the 4th May 1869, inclusive;—the date on which he reported his arrival at the capital town of the Presidency to which he was attached; or, if he was attached to the North-Western Provinces, the Punjab, or Oudh, and had permission to come to India *viâ* Bombay, the date on which he reported his arrival at Bombay.

From the 5th May 1869. (1) In the case of an officer who is posted in England to Upper India, and comes out *viâ* Bombay, and who has been instructed by the Secretary

of State to enquire at the Secretariat of the Government of Bombay for any orders as to his ultimate destination: (*a*) if he receives no orders at Bombay; the date on which he reports himself at Allahabad to the Secretary to the Government of India in the Home Department, and to the Secretary to the Government of the North-Western Provinces:—(*b*) if he receives orders at Bombay; the date on which he reports his arrival at any Station or Province to which he is attached by such orders. (2) In the case of any other officer; the date on which he reports his arrival at the capital town of the Presidency or Province to which he is attached.

2. If an officer does not join his first appointment within the joining time allowed him, the interval between the end of such joining time and the date on which he actually joins, is not active service.

(5), time passed in India, out of employ, on subsistence allowance, but not on furlough;

1. If a Covenanted Civil Servant on his first arrival in India is unable, from illness, to proceed to the seat of the Government to which he is attached, or to any other Station to which he is ordered to proceed direct, the Local Government in whose jurisdiction he is, may, on medical certificate, grant to him a subsistence allowance of two hundred and fifty rupees a month, for not more than two months. Time thus spent is not active service.

(6), leave of absence within the limits of the East India Company's charter, which counted as service and residence under the Covenanted Service Leave Rules in force before the 8th June 1855:

(7), leave of absence on urgent private affairs granted before the 3rd January 1863.

1. Examination leave of absence is also active service; provided that not more than twelve months of such leave can be so reckoned to any officer.

2. One year of leave of absence on medical certificate was reckoned as "residence" under the Covenanted Service Leave Rules in force before the first July 1868. This is not reckoned as active service.

Extraordinary leave.

(*b*). "Extraordinary leave" means leave of absence granted otherwise than under the Rules in this Code or its Supplements.

Example.—Leave in extension of the three years admissible under Section 13.

Continuous service

(*c*). "Continuous service" and "continuous active service" mean the service, and active service, of an

Section 4.

officer since his last return from leave of the following kinds, namely:—

in the case of a Covenanted Civil Servant:—furlough or extraordinary leave lasting more than three months;

in the case of an Uncovenanted Officer:—furlough, special leave, or extraordinary leave, whether more or less than three months;

or, in either case, if he have not had such leave, since the beginning of his active service.

No leave can be included in continuous service, except—

in the case of a Covenanted Civil Servant:—privilege leave and special leave;

in the case of an Uncovenanted Officer:—privilege leave.

1. Examination leave may also be included, unless the officer have already had twelve months' such leave.

Pay and salary.

(*d*). "Pay" means substantive pay. "Pay" includes also the subsistence allowance of a Covenanted Civil Servant who has an officiating, but not a substantive, appointment. "Salary" is the sum of pay and acting allowance.

1.* Personal allowance is, for the purposes of this Code, to be taken as part of an officer's substantive pay.

2.* "Salary" does not include house-rent, tentage, or travelling allowances whether daily, monthly, or annual; nor does it include "local allowances," which are paid in full to the officer performing the duty for which they are given, and which are not included in the allowances upon which leave allowances are calculated. (*But see Rule* 4 *under Section* 34.)

(*e*).* A "Local Allowance" is an allowance, not specially declared to be "pay" or "salary" given to an officer in addition to the regular pay or salary of his appointment, either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work. A local allowance is given in full to the officer actually present on duty, and is not taken into account in calculating leave allowances or pensions.

* Applies to all officers in Civil Employ.

(*f*).*—Whenever it is necessary to calculate a period in "Calendar Months," the period ends either on the day of the month corresponding with the day before the day on which it begins or, if there is no such corresponding day in that month, then on the last day of the month.

Examples.

A period of six calendar months beginning on the		ends on the
28th February ...	...	27th August.
31st March or 1st April...	...	30th September.
29th August ...	...	28th February.
30th August to 1st September	...	last day of February.
A period of three calendar months beginning on the		
29th November ...	...	28th February.
30th November or 1st December	...	last day of February.

Note.—See Section 8, and Section 37, Rules 10 and 12 The first day of an officer's leave is the first day on which he has not charge of his office after noon, and the last day of his leave is the last day on which he has not charge before noon.

Local Government.

(*g*). "Local Government" includes a Department of the Government of India, a Chief Commissioner, the Resident at Hyderabad, and the Agents to the Governor General in Rajputana and Central India.

(*h*). The words "Accountant General," when used in reference to a public servant applying for leave or on leave, mean the Officer who audits the pay and allowances of such public servant.

(*i*). "Covenanted Civil Service" means the Bengal, Madras and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a member of the Covenanted Civil Service.

(*j*). An "Uncovenanted Officer" is a public servant not belonging to the Covenanted Civil Service or the Army.

CHAPTER III.

GENERAL RULES.

Discretion of Government.

Section 5.*—Leave of absence can never be claimed absolutely, as of right. Nothing in this Code or its Supplements must be understood to limit the free discre-

* Applies to all officers in Civil Employ.

Section 5.

tion of the Government to refuse, or revoke, leave of absence of any description, at any time, according to the exigencies of the public service.

1. If a Local Government, under this Section, refuse furlough to an officer of the Bengal Covenanted Civil Service, it should report the refusal for the sanction of the Government of India in the Home Department.

Promotion during leave.

Section 6.*—If an officer who is absent on leave, obtains promotion, substantive or officiating, or an increase of pay or acting allowance which involves no change in, or addition to, his duties or responsibilities, the promotion or increase has effect at once. Otherwise the promotion of an absent officer has effect only from the date of his return to duty.

Service before discharge or resignation.

Section 7.—An officer who is discharged from, or resigns, the public service, and is re-employed after an interval, cannot, without the sanction of the Government of India, count his service prior to discharge towards leave after re-employment.

Exception.—An officer discharged from the Indian Navy on its abolition, who was subsequently re-employed in the public service, may count service in the Indian Navy towards leave after re-employment, notwithstanding the occurrence of an interval between his discharge from the Indian Navy and his first re-employment. Any leave taken by such officer while in the Indian Navy will be treated, in calculating the leave due to him under this Rule, as if such leave had been taken under the Rules to which he became subject on re-employment.

1. An Uncovenanted officer, who draws pension as well as pay under Section 97 of the Civil Pension Code, may, during leave of absence from his new office, draw so much of his pension as will raise his whole leave allowances to the amount which would have been admissible to him if he had taken leave of the same kind and under the same circumstances while holding his abolished appointment; provided that his allowances on leave shall never be less than his pension.

Beginning of leave.

Section 8.*—If an officer who has obtained leave of absence makes over charge of his office before noon, his leave begins on and includes the day on which he makes over charge; otherwise, it begins on and includes the following day.

Leaving station.

1.* If the absence of the officer does not involve the deputation of any officer from another Station, or any formal transfer of charge

* Applies to all officers in Civil Employ.

in the way of taking over money, or the like, then the Local Government may, by special order, permit the absentee to leave his Station at the close of the last day on which the office is open for business before his leave begins. In such case, the several transfers of charge dependent upon the departure of the absentee shall take effect from the close of the last working day as aforesaid. But the leave of the absentee and the re-arrangement of allowances, if any, depending upon his departure, shall begin from, and include, the first day, thereafter, on which the office is open for business. The actual date of the officer's departure from his Station must, however, always be reported.

CHAPTER IV.

FURLOUGH.

[NOTE.—The Local Government may grant furlough *in India* to a Military Officer in Civil employ, who is entitled to furlough under Chapter I of the Rules published by G. G. O. in Military Department, No. 171, dated 25th February 1874.* Such furlough should be granted only upon a certificate by the Controller of Military Accounts of the Presidency to which the officer belongs, that he is entitled thereto; and a copy of the order granting the furlough should be sent to the Government of India in the Military Department.

A Local Government may not grant furlough *out of India* to any Military Officer.]

Aggregate admissible.

Section 9.—The amount of furlough admissible to a Covenanted Civil Servant, and the aggregate amount of furlough and of special leave with allowances, admissible to an Uncovenanted Officer, is limited to six years. All the Rules in the Code are subject to this limitation.

Explanation.—The following leave under other Rules is counted as furlough under this Section:—

in the case of a Covenanted Civil Servant:—furlough, and leave with allowances on medical certificate, under former Rules;

1. Leave of the kind described in Section 4 (*a* 6) and junior furlough under the Rules in force before the 8th June 1855, are not counted against an officer under this Section.

in the case of an Uncovenanted Officer:—furlough, and leave with allowances on medical certificate, and leave on private affairs, under former Rules, or under the Rules in Supplement F to this Code.

Section 10.—The amount of furlough "earned" by an officer is one-fourth of his active service.

* See Appendix C 1.

1. Leave of the kind described in Section 4 (*a* 6) counts as active service under this Section.

Proviso.—Provided that, in making this calculation for an Uncovenanted Officer, only half of the active service rendered by him in offices other than those included in Schedule A, shall be taken into account.

1. The whole of the active service rendered while officiating in any of the offices included in Schedule A is to be taken into account.

Section **11.**—The amount of furlough "due" to an officer is the amount which he has earned, diminished by— Amount due.

in the case of a Covenanted Civil Servant :—

(1) the amount of furlough which he has enjoyed under these or any former Rules, except junior furlough under the Rules in force before the 8th June 1855;

(2) the excess over one year in the amount of leave with allowances on medical certificate, which he has enjoyed under former Rules.

in the case of an Uncovenanted Officer :—

(3) the amount of furlough, or special leave with allowances, which he has enjoyed under these or any other Rules:

(4) the amount of leave on private affairs, or on medical certificate with allowances, which he has enjoyed under the Rules formerly applicable to him.

Proviso.—Provided that if more than two years' furlough be due to an Uncovenanted Officer when he is first admitted to the benefit of these Rules, the excess shall be cancelled.

Section **12.**—To an officer who has rendered three years' continuous service,* furlough for not more than two years may be granted, as follows :— Amount admissible after three years service.

on medical certificate :—unconditionally;

See Section 38, *Rules* 2 to 9.

without medical certificate :—subject to these provisos :—

* For definition of "continuous service," see Section 4 (*c*.)

(1) that the furlough be due to him;

(2) that he have rendered eight years' active service;

(3) that the whole number of officers absent on furlough and special leave do not exceed the limit (if any) appointed by the Government of India.

Limit.

1. Except on medical certificate, or on very urgent private affairs, furlough or special leave may not be granted to a Covenanted Civil Servant in Oudh, the Central Provinces, British Burmah, Assam, Ajmír, Mysore and Coorg, and the Berars, if one-fifth of all the officers serving in the same commission are already absent on furlough or special leave. Elsewhere, it may not be granted, if one-fifth of the whole number of Covenanted Civil Servants serving under the orders of the same Local Government are already absent on furlough or special leave.

Extension.

Section **13**.—Furlough granted under Section 12 may, on medical certificate, be extended to not more than three years.

After less than three years' service.

Section **14**.—To an officer who has not rendered three years' continuous service,* furlough for not more than one year may be granted on medical certificate.

Extension.

Section **15**.—Furlough granted under Section 14 for less than one year may, on medical certificate, be extended to not more than one year.

Lien.

Section **16** (*a*).—An officer on ordinary furlough has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay.

On ordinary furlough.

Explanation.—Ordinary furlough includes—

(1) the first two years of each separate period of furlough under Section 12, including any extension under Section 13;

(2) so much of furlough under Section 14, including any extension under Section 15, as may be due, provided that the officer have rendered six months' continuous active service.*

On other furlough.

(*b*). On other furlough, a Covenanted Civil Servant has no lien; but an Uncovenanted Officer has a lien.

* For definition of "continuous service" and "continuous active service," see Section 4 (*c*).

1.* An officer may not surrender his lien; and a Local Government may not fill up substantively, even for a time only, an appointment on which an officer has a lien, without transferring the officer to another substantive appointment of not less pay. The saving which accrues to the State by paying acting, instead of substantive allowances, must be carefully secured as a set-off against the cost of leave allowances. May not be surrendered.

2.* An officer may have a lien on an appointment without having actually joined it. Joining.

3.* An officer on furlough has no claim to substantive promotion; but there is no objection to such promotion. (*See Section* 6.) Promotion.

4.* An officer on furlough has no lien on an acting appointment. Acting.

Section **17**.—An officer on ordinary furlough is entitled, subject to the limitations prescribed in Sections 18 and 19, to a leave allowance equal to half the average salary which he has earned during so much of his continuous active service† as is within the three years preceding the day on which he gives up office: Allowances on ordinary furlough.

Provided that subsidiary leave shall not be included in active service under this Section; nor periods during which an officer has been out of employ in India, otherwise than as a penalty for misconduct:

And provided also that the leave allowances of an Uncovenanted Officer shall, in no case, exceed his actual salary when he takes furlough.

1. In the case of a Commissioned Military Officer in Civil Employ who takes subsidiary or preparatory leave before furlough, the words "prior to his proceeding on furlough" in Rule V of the Military Furlough Regulations of the 10th November 1868, shall be understood to mean *prior to his being relieved of his duties.*

Section **18**.—The maximum leave allowance of a Covenanted Civil Servant on ordinary furlough, is, if paid at the Home treasury of the Government of India, £250 a quarter, or, if paid in India, Rs. 833⅓ a month. The minimum is, if paid at the Home treasury, £125 a quarter, or his last salary, whichever is less; or, if paid in India, Rs. 416⅔ a month, or his last salary, whichever is less. Maximum allowance for a Covenanted Servant,

Section **19**.—The maximum leave allowance of an Uncovenanted Officer on ordinary furlough is, if paid at the Home Treasury of the Government of India, £200 and for an Uncovenanted Officer.

* Applies to all officers in Civil Employ

† For definition of "continuous active service," see Section 4 (c).

a quarter, or, if paid in India, Rs. 666⅔ a month. There is no mininum.

1. An officer on furlough does not forfeit his past leave allowance by resigning the service without returning to India.

Allowance on other furlough.

Section 20.—An officer on furlough, other than ordinary, is entitled, if a Covenanted Civil Servant, to subsistence allowance; and, if an Uncovenanted Officer, to £120 a quarter paid at the Home Treasury, or Rs. 400 a month paid in India, or to one-quarter of the average salary defined in Section 16, whichever is less.

Subsistence allowance.

1. The following are the rates of monthly subsistence allowance for Covenanted Civil Servants :—

To an officer of not more than eight years' actual residence in India	Rs. 250
To an officer of more than eight, but less than twelve years' actual residence in India ...	„ 320
To an officer of twelve or more years' actual residence in India	„ 400

CHAPTER V.

SPECIAL LEAVE OF ABSENCE.

Amount admissible.

Section 21.—Special leave on urgent private affairs may be granted at any time, for not more than six months:

Provided that an officer who has had special leave, must render six years' active service before he can again have such leave.

1. The corresponding leave under the Covenanted Civil Service Leave Rules in force before the 1st July 1868, is "special leave" within the meaning of this proviso.

2. An Uncovenanted Officer is not debarred from obtaining special leave with allowances under this Chapter by reason of his having had leave on private affairs under the Rules in Supplement F, such leave on private affairs being furlough in another form.

Lien.

Section 22.—An officer on special leave has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay.

(*See Rules under Section* 16.)

Allowance

Section 23 (*a*).—For the first six months for which an officer is on special leave, whether the six months be

included in the same leave or not, he is entitled to the leave allowance admissible under Sections 17, 18 and 19.

(*b*). Thereafter he is entitled to no leave allowance.

1. The corresponding leave under the Covenanted Civil Service Leave Rules in force before the 1st July 1868 is "special leave" within the meaning of this Section.

CHAPTER VI.

SUBSIDIARY LEAVE OF ABSENCE.

[NOTE.—Subsidiary leave of absence is intended only for the purpose of enabling an officer to make the necessary arrangements for breaking up or reorganising his household and for the journey to or from the seaport, as the case may be; and its duration should be limited to what is necessary for these purposes.]

Amount admissible.

Section 24 (*a*).—Furlough and special leave, out of India, begin on, and include, the day of the departure of the vessel in which the officer sails*; and to an officer taking such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up office, to the day before that on which his furlough or special leave begins.

(*b*). Furlough and special leave, out of India, end on, and include, the day before the arrival of the vessel in which the officer returns*; and to an officer coming back from such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day on which the vessel arrives, to the day before that on which he assumes the office to which he may be appointed.

(*See Rule* 8 *under Section* 37.)

Military officer.

1. For the interval between his giving up charge of office and the beginning of his furlough out of India, and between the ending of his furlough out of India and the assumption of his office, a Commissioned Military Officer in Civil Employ is allowed subsidiary leave not ordinarily exceeding in each case thirty days.

On retiring from service.

2. Subsidiary leave may be granted to a Covenanted Civil Servant and, with the previous consent of the Government of India in the Military Department, to a Military Officer in Civil Employ retiring from the service, to the same extent, and with the same allowances, as if he were going on furlough. To an Uncovenanted Officer such leave may be given on half-pay for fourteen days, but only if it causes no additional expense to the State.

* Applies to a Commissioned Military Officer in Civil Employ.

For more than 30 days.

3.* Subsidiary leave of absence may be granted for more than thirty days whenever the Local Government is satisfied that an officer could not within thirty days, by the available means of conveyance and by the direct route, reach the port of embarkation or his station, as the case may be. Subsidiary leave may also be prolonged beyond thirty days if the Local Government is satisfied that an officer who has arranged to start by a particular vessel within the period of subsidiary leave allowed to him, is prevented from doing so by a change in the date of the vessel's departure. Subsidiary leave may not be granted for more than thirty days on medical certificate, or upon any other grounds than those set forth in this Rule. Whenever a Local Government grants subsidiary leave for more than thirty days, a report of the grant, with the reasons for it, should be made to the Government of India in the Financial Department.

Port of embarkation.

4. An officer may leave India, or return to India, by any port; but the dates by which the beginning and ending of furlough or special leave are determined, are the date of the vessel's departure from the port where he first meets it, and arrival at the port where he quits it.

Example.—An officer sailing from Calcutta in a vessel which touches at Madras, counts by the date of the departure of the vessel from Calcutta, and not from Madras.

5.*† An officer serving the Government of India in Persia or Arabia may leave the country in which he is serving, or return to it, by any port (except Aden) or frontier town he likes, provided that the journey to or from such port or frontier town must not exceed thirty days. The certificate showing the date of departure or return must be given by the British Consul, if there be one, otherwise, by the officer himself.

6.* The date of the departure of a vessel from any port where a Pilot is taken is held to be the date on which the Pilot leaves it at sea; and the date of the arrival of a vessel in such a port is the date on which the Pilot is taken on board.

Reports required.

7.* An officer embarking after subsidiary leave must report his departure to the Local Government which granted him the leave, and his arrival in England to the Secretary of State.

8.* An order by a Local Government granting to an officer, proceeding on furlough or special leave, "the usual subsidiary leave" must be understood to cover subsidiary leave under clause (*b*) as well as under Clause (*a*); and if, with reference to the note at the head of the Chapter, the Local Government limits the subsidiary leave of an officer under clause (*a*), the same limitation will, in the absence of further orders, apply to his subsidiary leave under Clause (*b*).

* Applies to a Commissioned Military Officer in Civil Employ.

† Applies to all officers who are subject to the Rules in the Supplements to this Code, excepting Supplement F.

Section 24.

Section 25.—An officer may take furlough or special leave, partly in, and partly out of, India. But subsidiary leave is not admissible under Section 24, Clause (*a*), unless the furlough or special leave begins as furlough or special leave out of India; nor under Section 24, Clause (*b*), unless it ends as furlough or special leave out of India.

Provided that if an officer who has obtained subsidiary leave, with the intention of taking furlough or special leave out of India, is prevented by sickness or other urgent and adequate reason from embarking within the period of his subsidiary leave, the Local Government may order that his furlough or special leave shall begin in India at the end of his subsidiary leave, and, consequently, without forfeiture of this leave.*

1.* In the absence of such special order, if an officer remains in India after the end of subsidiary leave under Section 24, Clause (*a*), his furlough or special leave will be held to have begun as furlough or special leave in India, and will be counted from the day on which he gave up office.

Section 26.—An officer on subsidiary leave under Clause (*a*) of Section 24 has, or has not, a lien on an appointment, according as he has, or has not, such lien on the first day of the leave to which it is subsidiary. Lien.

[NOTE.—A Commissioned Military Officer in Civil Employ does not lose his lien during subsidiary leave preparatory to furlough.]

Section 27.—An officer on subsidiary leave under Clause (*b*) of Section 24 has, or has not, a lien on an appointment, according as he has, or has not, such lien on the day last preceding the subsidiary leave.

Section 28.—An officer on subsidiary leave is entitled to allowances as follows :— Allowances.

(*a*). If the leave be subsidiary to special leave, and the officer have had leave subsidiary to a former special leave :—no allowance. Special leave.

1. The corresponding leave under the Covenanted Civil Service Rules in force before the 1st July 1868 is special leave within the meaning of this Clause.

* Applies to a Commissioned Military Officer in Civil Employ

Ordinary furlough.

(*b*). If the leave be subsidiary to ordinary furlough, or special leave :—the allowance admissible under Section 17, but calculated, in the case of a Covenanted Civil Servant, without the limitation of maximum or minimum prescribed by Section 18. The limitations prescribed by Section 19 apply to the allowances of an Uncovenanted Officer on subsidiary leave.

Other furlough.

(*c*). If the leave be subsidiary to furlough other than ordinary :—the allowance admissible under Section 20.

Without lien.

(*d*.) If the officer, under Section 37, have ceased to have a lien on a substantive appointment—as, for example, if a Covenanted Officer has been absent on extraordinary leave in extension of furlough—in the case of a Covenanted Civil Servant :—subsistence allowance; and in the case of an Uncovenanted Civil Servant :—no allowance.

Privilege leave allowances.

1.* An officer may draw allowances as if he were on privilege leave, for any part of his subsidiary leave under Clause (*a*) of Section 24, for which, if he were not going on furlough or special leave, privilege leave would be admissible to him.

Military Officer.

2. The allowances of every Commissioned Military Officer in Civil Employ during subsidiary leave shall be calculated as in the case of general leave taken in India under the Military Furlough Regulations. Provided always, that if an officer have, under the action of the Leave Rules, lost his lien on his appointment, he shall, during subsidiary leave, draw allowances under the Rules of the Military Department applicable to his case.

[NOTE.—This Rule regulates allowances during leave subsidiary to furlough of any description.]

CHAPTER VII.

[The Rules in this Chapter apply to Commissioned Military Officers in Civil Employ.]

PRIVILEGE LEAVE OF ABSENCE.

Limit

Section **29.**—The amount of privilege leave admissible at one time, is limited to three calendar months.

Amount earned.

Section **30.**—The amount of privilege leave earned by an officer is one-eleventh part of the time during which he has been on duty without interruption. Provided that no privilege leave can be earned by an officer by duty

* Applies to a Commissioned Militrry Officer in Civil Employ.

done while three months' such leave is due to him, and that, whenever duty is interrupted, all claim to privilege leave earned theretofore is forfeited. Absence on privilege leave, though not counting as duty, is not an interruption of duty within the meaning of this Section.

[NOTE.—The calculation must be made as follows:—One calendar month for every eleven complete calendar months of duty, and one day for every eleven days of the balance.]

Subsidiary leave not reckoned as duty.

1. Time spent on subsidiary leave does not qualify for privilege leave. But if an officer, returning from leave, not before the expiration thereof, be, only for the convenience of the Local Government, and not for any fault of his own, prevented from joining an appointment on which he has a lien; or, if he be kept out of employ on subsistence allowance; then, duty qualifying for privilege leave begins on the day on which he presents himself to the Local Government ready for duty.

Beginning of qualifying service.

2. When an officer is first appointed to the public service, duty qualifying for privilege leave does not begin until he takes charge of the office to which he is appointed.

Examination leave reckons as duty.

3. "Examination leave" may, if the examination for which it is granted be successfully passed, unless the officer has already had twelve months' examination leave, count as duty qualifying for privilege leave. Examination leave does not interrupt duty within the meaning of this Chapter.

Suspension does not reckon as duty.

4. Suspension from office as a penalty for misconduct, is an interruption of duty within the meaning of this Chapter.

Absence after the end of leave interrupts duty.

5. If an officer remains absent after the end of privilege leave his duty is interrupted within the meaning of this Section. But the Local Government may remit the penalty for special reasons to be communicated, in each case, to the Government of India.

Absence after examination leave or of joining time does not reckon as duty.

6. If an officer remains absent after the end of examination leave, or of joining time, the period of absence cannot count as duty qualifying for privilege leave, and, unless the absence is accounted for to the satisfaction of the Local Government it is an interruption of duty within the meaning of this Section.

Military officers.

7. With regard to the privilege leave of a Commissioned Military Officer in Civil Employ, no distinction is made between an officer who has a substantive civil appointment, and an officer who is merely officiating in the Civil Department. The leave is earned by uninterrupted duty in either the Civil or the Military Department. But a Military Officer who has taken in any calendar year the privilege leave which is admissible to him for this year, under the Rules of the Military Department, does not begin to count service for privilege leave in the Civil Department until the first day of the following year.

Amount due.

Section **31.**—The privilege leave due to an officer is the privilege leave which he has earned, less the period during which he has been absent on privilege leave.

Judicial and Educational officers.

1. To Uncovenanted Judicial and Educational officers, whose duties are not continuous, and who enjoy regular vacations during which they are allowed to be absent from duty, privilege leave is not admissible, except in case of urgent necessity.

2. The Local Government may, with the sanction of the Government of India, impose a like restriction in the case of Covenanted Officers.*

Grant of privilege leave.

Section **32.**—To an officer who has been on duty, without interruption, for eleven calendar months, and who has not, for six calendar months, been absent on privilege leave, the whole or any part of the privilege leave due to him, may be granted.

Declaration required.

1. An officer applying for privilege leave must record a declaration that he has no intention of retiring or of taking furlough, special leave, subsidiary leave, leave on private affairs, or leave on medical certificate, for three months after his return to duty. Though not absolutely debarred by this declaration from applying for permission to retire or to take such leave within the three months, he should, if he does so, explain his change of mind.

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* "I am directed to acknowledge your No. 862A, dated 18th March 1873, and subsequent No. 403, dated 6th May, submitting propositions for modifying the application of Privilege Leave Rules to District and Sessions Judges.

2. "In reply, I am directed to state that His Excellency in Council, after full consideration of the correspondence with the several Local Governments upon this question, has determined that it is not necessary to fix any special restriction upon the grant of privilege leave to District and Sessions Judges as distinguished from other members of the Covenanted Civil Service. It is true that, in most Provinces, the regular transaction of judicial business is ordinarily suspended for a time during each year. But the practice as to closing Courts, and the period for which they are completely shut, appear to vary considerably in different jurisdictions; and the vacation is rarely of a sort which, like privilege leave, sets the presiding officer of a Court absolutely free. It is thus difficult to frame any constant rule which might fairly set off the permanent value of vacation against any formal curtailment of privilege leave, for which even a certain vacation at one season of the year hardly compensates.

3. "On the whole, therefore, the Government of India prefer to maintain the existing system, which invests Administrations with full power to consider each application for leave on its merits, and which lays upon them the responsibility of dealing with it. As judicial functions differ from executive work, so must the reasons upon which leave can be given or refused differ in each class; but there seems no need for laying down, as to either class, any uniform rule to limit the responsibility of Government. His Excellency in Council believes that Government may best dispose of these cases upon the general principles of guarding the interests of the public service, and of allotting, so far as may be possible, equal privileges of relaxation from work to all departments of the public service."—(*Home Department, to Government, North-Western Provinces, No.* 1104, 24*th June* 1873.)

2. If an officer is, on public grounds, recalled to duty from privilege leave before the whole leave granted to him is ended, privilege leave may be granted to him again, even within six calendar months from the date of his return to duty. Recall from leave

Section **33**.—An officer on privilege leave has a lien on his substantive appointment. He has also a lien on his officiating appointment, so long as it is not resumed by an officer having a superior lien on it. Lien.

Section **34**.—An officer on privilege leave is entitled to a leave allowance equal to the salary which he would earn in the appointment on which he has a lien. Allowances.

1. If privilege leave is granted to an officer who holds an appointment sanctioned only for a limited time, and for a special purpose, he is not entitled, during privilege leave, to any special allowance attached to the appointment. Holding an appointment sanctioned for a limited time.

2. An officer on privilege leave is entitled to a leave allowance equal to his salary, even though another officer be appointed to act for him. Acting allowances.

3. If an officer, who has been temporarily promoted from a lower to a higher officiating appointment, takes privilege leave on being relieved of the latter, and the Local Government declares that, on being so relieved, he has reverted to the lower officiating appointment, his allowances on leave shall be calculated as if he had rejoined it.

4. A local allowance may be drawn by an officer on privilege leave, provided that it is not drawn by his *locum tenens*.

5. In the Madras and Bombay Presidencies, an officer on privilege leave may draw the house-rent or tentage attached to his appointment, if he places his house or tent at the disposal of the officer, if any, who officiates for him. The officiating officer cannot, in such case, draw the house-rent or tentage attached to the appointment. But if the officer, for a reason which the Local Government considers sufficient, refuses the accommodation placed at his disposal, the allowance is to be drawn by him and not by the absentee. House-rent or tentage

6. An assistant in the Geological Survey of India on privilege leave may draw the house-rent and horse allowance of his office, provided that they are not claimed by an officer officiating for him during his absence. Geological Survey.

7. A Police Inspector in Madras on privilege leave may draw any horse allowance to which he is entitled while on duty, provided that such allowance is not claimed by an officer officiating for him during his absence. Police Inspector.

8. An officer may draw Presidency house-rent or Presidency allowance on privilege leave, provided that no extra expense is thereby caused to the State.

CHAPTER VIII.

EXAMINATION LEAVE OF ABSENCE.

[The Rules in this Chapter apply to Commissioned Military Officers in Civil Employ, except those employed in the Public Works Department and in the Survey Department under the Surveyor General of India, for whom there are special departmental rules.]

Examination leave.

1. A Covenanted Civil Servant, who is a candidate for a reward offered by the Government for the study of any of the vernacular languages, may be allowed leave for one month for the purpose of being examined.

2. If he pass the examination, he may be allowed similar leave for another month.

3. An officer on examination leave has a lien on his appointment (substantive or officiating), and is entitled to leave allowance, as if he were on privilege leave.

Attendance at departmental examination.

4. An officer while absent from his Office or from his Station to attend a departmental examination, or (in the Punjab) an examination in Pushtu or Belochi, which is obligatory on certain officers, is considered to be on duty.

5. Leave may not be given under Rule 4 to an officer to prepare for examination, or for recreation after examination. A reasonable time, including the day or days of examination, should be allowed for the journey to and from the place of examination, and nothing more.

CHAPTER IX.

JOINING-TIME.

[The Rules in this Chapter apply to all officers in Civil Employ.]

Purpose for which allowed

1. Joining-time is the time allowed to an officer to proceed from one Station to another when his appointment is changed, or when, being unemployed, he is appointed to any office. An officer is held to be on duty during joining-time, if he is entitled to allowances.

Amount admissible.

2. Joining-time is allowed as follows, excluding Sundays :—

for any part of the journey which may be made by Railway,—one day for every hundred miles :

for any part of the journey which may be made by Steamer,—one day for every hundred miles, or such longer time as the Steamer may actually occupy :

for the rest of the journey,—one day for every ten miles :

and six days, in addition to the whole, thus calculated.

Section 34.

3. One day's joining time is allowed to an officer transferred from one office to another at the same station.

Full joining-time.

4. The full joining-time is allowed only if it is spent *bonâ fide* in preparation for, or in making, the journey; and no more than three months may be granted under any circumstances. The Government which orders a transfer, may limit the duration of joining-time.

When leave intervenes.

5. When an officer, after giving over charge of his office at one Station, on transfer or reversion to another Office, takes privilege or examination leave before joining the office to which he has been transferred, or to which he has reverted; or when an officer, while on privilege or examination leave, is transferred to a Station other than that from which he took leave,—he is entitled to joining-time in addition to his privilege or examination leave. The joining-time of an officer transferred during privilege or examination leave, will be counted from his old Station, or from the place where he receives the order of transfer, whichever calculation would entitle him to the less joining-time.

Charge of office.

6. (*a*) Unless, for special recorded reasons, the Government or other authority under whose orders the transfer takes place, permits or requires it to be made in any particular case, elsewhere or otherwise, the charge of an office must be made over at its Head-quarters, both the relieving and the relieved officers being present.

Head quarters of Government.

(*b*) As a general rule, and subject to any special orders to the contrary in particular cases, the Head-quarters of an officer on the staff of a Government—as, for instance, a Secretary to a Government, the Sanitary Commissioner with the Government of India, or a clerk in a Government Secretariat—are the Head-quarters, for the time being, of the Government to which he is attached.

Of other officers.

(*c*) The Head-quarters of any other officer are either the Station which has been declared to be his Head-quarters by the authority which appoints him, or, in the absence of such declaration, the Station where the records of his office are kept.

Furlough taken during transit.

7. If an officer, during transit from one appointment to another, obtains furlough on medical certificate (with or without subsidiary leave prefixed), he may be allowed only the joining-time calculated for the journey from his old Station to the furthest place to which he has proceeded on his route to his new Station.

Allowances.

8. Except in the case mentioned in Rule 9, an officer draws, during joining-time, the following allowances:—

(*a*) as regards pay,—

Pay.

the pay which he drew in his old appointment, or that which he draws in his new, whichever is less:

(*b*) as regards acting allowance;—

Acting allowance.

(1) if transferred from an officiating appointment to an appointment, officiating or substantive, with

not less salary,—the acting allowance of his old appointment;

(2) if, after being promoted from a lower to a higher officiating appointment without losing his lien on the lower one, he is relieved of the higher and returns to the lower officiating appointment, or to another appointment, officiating or substantive, with not less salary,—the acting allowance of the lower officiating appointment:

(3) Provided that no officer can draw acting allowance for any appointment after another officer having a superior lien on it has resumed it.

Uncovenanted Officer without appointment.

9. An Uncovenanted Officer who has no substantive appointment, is not entitled to any allowance during joining-time; but if such an officer, officiating in an office, is transferred to another office under the same Local Government, the Local Government may allow him to draw, during his transit, the allowance to which he would be entitled under Rule 8.

Ministerial officers.

10. When, with the consent of the heads of both the offices concerned, or under the orders of competent authority, a ministerial officer is transferred from service in one office to service in another office, on grounds of public convenience only, and not at his own request, for his own advantage, or in consequence of any fault on his part, the Rules in this Chapter apply to his case.

11. An officer who does not join his new appointment within the joining time allowed to him is entitled to no allowances after the end of his joining-time, and after a week ceases to have a lien on any appointment. But if the local Government considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment.

CHAPTER X.

EXTENSION AND COMMUTATION OF LEAVE.

Extension and commutation.

Section **35**.*—Except as provided in section 24, no kind of leave can be granted in continuation of any

* In 1871 two officers were allowed to take special leave of absence under Chapter V, in continuation of privilege leave under Chapter VII. The concession was made, in each case, on public grounds only, the officers having undertaken to perform certain important public duties in England. The Secretary of State, however, wrote upon the second case:—

"In permitting C. D. to take privilege leave and special leave together, you have followed the course adopted in A. B.'s case.—

* * * * * * *

"Grants of leave in direct opposition to the Furlough Rules cause inconvenience and create embarrassing precedents; and I request that no similar concession may be granted in future."—[*Financial Despatch No.* 65, *dated* 15*th February* 1872.]

Section 35.

other kind; but any leave may be retrospectively changed for any other kind or amount of leave which might, at first, have been granted:

Provided that the grant, or extension of furlough, under this Rule (otherwise than on medical certificate), is subject to proviso (3) under Section 12.

1. Except by the Secretary of State, leave cannot be changed or extended, without the permission of the Local Government which originally granted it.

2. In the case of a Commissioned Military Officer in Civil Employ, leave may be retrospectively commuted by the authority which granted it to any other kind of leave which the said authority would have been competent to allow when the original leave was sanctioned.

3. An officer on furlough or special leave in Europe, who wishes to have his leave extended, must apply to the Secretary of State for India at least three months before the end of his leave.

4.* Examination leave may be granted in continuation of privilege leave, and privilege leave may be granted in continuation of examination leave under Chapter VIII, Rule 1, but not in continuation of examination leave under Chapter VIII, Rule 2. Otherwise, no kind of leave, except furlough on medical certificate, may be granted in continuation of examination leave.

5.* When privilege leave is, on medical certificate, retrospectively changed for furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as subsidiary leave under clause (*a*) of Section 24, as might have been granted as subsidiary leave, if the officer had originally obtained furlough and not privilege leave.

CHAPTER XI.

PAYMENT OF LEAVE ALLOWANCES.

[This Chapter applies to all officers in Civil Employ.]

Allowances how payable.

Section **36** (*a*).—Leave allowances are payable in India after the end of each month; but an officer on furlough or special leave out of India may, at his option, take payment at the Home treasury of the Government of India.

1. An officer embarking on furlough or special leave must take with him a Last-Pay Certificate, whether he intends to draw his allowances in England or not. (*For Rules, see Chapter XII.*)

* Applies to a Commissioned Military Officer in Civil Employ.

Treasury forms.

2.* A gazetted officer on leave in India may draw his allowances at any treasury in India. An officer on furlough or special leave out of India may draw his allowances in India either at his own Head-quarters, or at the chief town of the province, or at the capital town of the Presidency in which he is employed. If the leave of an officer, whether in or out of India, is extended or commuted, the Accountant General within whose jurisdiction the officer is employed must, on receiving advice of such extension or commutation, forthwith communicate it to the Accountant General within whose jurisdiction his leave allowances are drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the Accountant General who passes the officer's leave allowances.

3.* If a gazetted officer signs the bill himself, he must either appear in person at the place of payment, or must furnish a life-certificate by a Covenanted Civil Servant, a Magistrate, a Notary, a Banker, or a Minister of Religion. If he draws the allowances through an authorised agent, the agent, whether he has or has not a power of attorney, must either furnish a life-certificate as above, or execute a bond to refund over-payments. A life-certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life-certificate.

The proper stamp duty upon bonds executed under this Rule is that chargeable upon indemnity bonds according to Article 9 of the first Schedule of the General Stamp Act XVIII of 1869.

4.* A ministerial officer on leave in India can draw his leave allowances only at the treasury whence his salary is disbursed, and under the signature of the head of the office to which he is attached; this officer is responsible for any over-charges, and no other security is required.

Exchange with England

(*b*). If payment be taken at the Home Treasury, it is made quarterly, and rupees are converted into sterling at the rate of exchange fixed, for the time being, for financial transactions between the Imperial and the Indian Treasuries.

1. Payment is made from the Home Treasury as follows:

On fixed quarter-days (namely, March 25th, June 24th, September 29th, December 24th), a form is supplied on application to the India Office, containing,

(1) a life-certificate to be filled up in the manner directed on the face of it.

(2) a cheque for the amount due (which is specified) for the officer to fill up, and which may be cashed through any banker.

* Does not apply to officers in the Public Works Department. There are special Departmental Rules for these officers.—(*See Appendix B.*)

2. If an officer's contract of service contains a stipulation to the effect that "a pound sterling shall be considered equal to, and calculated at," any specified rate, his leave allowances are converted into sterling at this rate.

3. If an officer receives an advance of pay in England to enable him to return to duty in India, the advance will be recovered at the rate, or rates, of exchange fixed for the adjustment of financial transactions between the Imperial and Indian Governments for the year in which each instalment is recovered. The same Rule will also apply when an advance is made in England to a person appointed there, proceeding to India to join his appointment.

CHAPTER XII.

LAST-PAY CERTIFICATE.

[This Chapter applies to all officers in Civil Employ, excepting officers in the Public Works Department] Last-pay certificate.

1. No officer (unless he has been newly appointed to the service of Government) can begin to draw pay or allowances at any treasury in India, or at the Home treasury of the Government of India, without producing a Last-Pay Certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant General within whose jurisdiction this treasury is.

2. An officer must, if possible, appear personally at the office where his Last-Pay Certificate is completed. Personal appearance.

3. A Military Officer in Civil Employ proceeding on furlough cannot obtain a Last-Pay Certificate until he submits to the Accountant General a certificate by the Military Department of the Presidency to which he belongs, in Form A, B, or C (as the case may be) contained in Appendix D. Military officers.

4. The Rules and Forms prescribed for the issue of Last-Pay Certificates in India, in each of the following cases, are stated beneath.

Case I.—To an officer proceeding on leave to Europe and embarking at a port in the Presidency or Province in which he is employed;

Case II.—To an officer proceeding on leave to Europe and embarking at a port in another Presidency or Province;

(*a*) If he be employed at, or have to pass through, the Station of the Accountant General of his Presidency or Province;

(*b*) If he be not employed at, and have not to pass through, that Station;

Case III.—To an officer proceeding on leave from one place in India to another, whether the two places are, or are not, in the same Presidency or Province;

Case IV.—To an officer proceeding on duty from one Presidency, Province, or Circle of Account, to another;

Case V.—To an officer proceeding on duty from one place to another in the same Presidency or Province.

CASE I.

Officer embarking in his own Presidency.

The Accountant General should give the officer a certificate in Form A, Appendix A, and, save in the cases below excepted, forward a duplicate certificate, in the same form, to the Local Government for transmission to the Secretary of State.*

Exceptions.—(1). If the officer embark at a port in British Burma, the Accountant General should forward the duplicate form direct to the Comptroller General for transmission to the Secretary of State.

(2). If the officer embark at Calcutta, the Accountant General should, in like manner, forward the duplicate form to the Comptroller General, after filling up the blanks in the Pilot's certificate at its foot.

CASE II (*a*).

Officer embarking in another Presidency.

The Accountant General should pay to the officer† his allowances up to the date of his departure from the Accountant General's Station, and should give him a certificate in Form B, Appendix A, leaving the 7th, 9th, and 10th spaces blank, and send a duplicate, after signing the letter on the reverse, to the Accountant General, or (if there be no Accountant General) to the officer in charge of the treasury at the port at which the absentee intends to embark for Europe. The Accountant General or Treasury Officer at the port of embarkation should follow the instructions in the letter addressed to him, and return the original form to the officer. If he be an Accountant General, he should forward the duplicate to the Local Government for transmission to the Secretary of State, and address a letter in the Form E, Appendix A, to the Accountant General of the officer's Presidency or Province; but if he be a treasury officer, he should forward the duplicate to the Accountant General of his own Presidency or Province, who will forward it to the Local Government for transmission to the Secretary of State, and address a letter in the Form F, Appendix A, to the Accountant General of the absentee's Presidency or Province.

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* *Extract from Military Despatch from the Secretary of State to the Government of India, No. 75, dated the 24th March* 1875.

15. The duplicates should in all cases be exact copies of the originals; and if it should be found, after the original certificate has been furnished, that an alteration is necessary, an amended certificate should be granted.

16. Duplicate certificates should be so marked on the face.

† The officer, if he be not employed at the Accountant General's Station, should bring a Last-pay Certificate, in a form similar to Form M, from the officer in charge of the treasury where his salary was last disbursed.

Section 36.

CASE II (*b*).

The Accountant General should send to the officer a certificate in Form C, Appendix A, leaving the 7th, 9th, and 10th spaces blank, and forward a duplicate to the Accountant General or Treasury Officer at the port at which the officer intends to embark for Europe. Before the officer's departure from his Station, the officer in charge of the treasury from which he last drew pay should fill up and attest the certificate at the end of the original Form C. The Accountant General or Treasury Officer at the port at which the officer intends to embark should follow the instructions in the letter to his address on the back of Form C, and after copying the entries and signature from the certificate at the end of the original form into the duplicate, should return the original form to the officer. If he be an Accountant General, he should forward the duplicate certificate to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the form to the Accountant General of the absentee's Presidency or Province, with a letter in the Form G, Appendix A; but if he be a Treasury Officer, he should forward the duplicate Form E to the Accountant General of his own Presidency or Province, who will send it to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the form to the Accountant General of the absentee's Presidency or Province, with a letter in the Form H, Appendix A.

But in the case of a Covenanted Civil Servant, or a Military Officer in Civil Employ, or an Uncovenanted Officer of the class as specified in Section 1 (*b*) of the Code, if the officer's appointment have been changed within the period, on his average salary for which the leave allowance is to be calculated, the rate of leave allowance will sometimes depend on the date on which he may make over charge of his office, and the Accountant General may not be aware of that date at the time the Last-Pay Certificate is prepared. In such cases the Accountant General should send to the officer a document in the Form D, Appendix A, leaving the 7th, 8th, 10th, and 11th spaces on the face of the form blank, and should forward a duplicate of it to the Accountant General or Treasury Officer at the port at which the officer intends to embark. Before the officer's departure from his Station, the officer in charge of the treasury from which he last drew pay should fill up the 8th space on the face of the original form, and fill up and attest the certificate at the end of that form. The Accountant General or Treasury Officer at the port at which the officer intends to embark should follow the instructions in the letter to his address on the back of the form, and having copied in the duplicate form the entry in the 8th space on the face of the original form, and the entries and signature in the certificate at the end, should return the original form to the absentee. If he be an Accountant General

he should forward the duplicate form to the Local Government for transmission to the Secretary of State, and send a copy of the certificate at the end of the form to the Accountant General of the absentee's Presidency or Province, with a letter in the form K, Appendix A; but if he be a Treasury officer, he should forward the duplicate Form D to the Accountant General of his own Presidency or Province, who will send it on to the Local Government for transmission to the Secretary of State and forward a copy of the certificate at the end of the Form D to the Accountant General of the absentee's Presidency or Province, with a letter in the Form L, Appendix A.

CASE III.

Proceeding on leave to another place in India.

The officer should obtain a certificate in Form A, in Appendix A, from the Accountant General of his Presidency or Province; but if he is not proceeding to any place out of that Presidency or Province, the 12th space in the certificate may be left blank.

CASE IV.

Proceeding on duty to another province.

The officer should obtain a certificate in the Form M, Appendix A. If he be employed at the Station of the Accountant General of his Presidency or Province, the certificate should be given by that officer. If he have to pass through that Station on his way to his new Presidency or Province, the certificate should be given by the officer in charge of the treasury from which he last drew pay, and countersigned by the Accountant General. If he be not employed at, and have not to pass through, the Accountant General's Station, the certificate should be given by the officer in charge of the treasury from which he last drew pay, and a duplicate of it should be forwarded by the Treasury officer to the Accountant General for countersignature and transmission to the Accountant General of the transferred officer's new Presidency or Province.

CASE V.

To another place in the same province.

The officer should obtain a Last-pay Certificate in the Form M, Appendix A, from the officer in charge of the treasury from which he last drew pay.

CHAPTER XIII.

RETURN TO DUTY.

[This Chapter applies to all Civil Officers in Civil Employ, and, in respect to leave of absence in India granted by the civil authorities, to Commissioned Military Officers in Civil Employ.]

Overstayal leave.

Section 37.—An officer who remains absent after the end of his leave is entitled to no allowance for the period of such absence, and he ceases to have a lien on any appointment, if his leave was furlough,—imme-

diately; and, if it was special or privilege leave,—after a week.

Permission to return to duty.

1. An officer on furlough or special leave in Europe may not return to India, without obtaining the permission of the Secretary of State. He must apply for this permission at least three months before the end of his leave.

2. The grant by the Secretary of State to an officer on leave, of permission to return to duty by a particular steamer, is equivalent to an extension of leave, without prejudice to the officer's appointment, until the day on which the steamer arrives; but does not give any claim to allowances not admissible by Rule.

Report of return.

3. A gazetted officer returning to duty must report his return to the Local Government, or, if he is an officer employed directly under the Government of India, to the Government of India in the Department under which he is employed. An officer of the Bengal Covenanted Civil Service employed directly under the Government of India, returning from furlough or special leave, must also report his return to the Government of India in the Home Department.

Return to duty more than 14 days before the end of furlough.

4. An officer may not, without the permission of the authority which granted him leave, return to duty, more than fourteen days before the end of furlough or special leave. This permission may be given with such conditions as the authority granting it may prescribe. An officer returning from furlough or special leave more than fourteen days before its expiry, without such permission, is entitled to no subsidiary leave, save under the special orders of the Government to which he is subordinate. In such case, subsidiary leave cannot, under any circumstances, be allowed for more than thirty days, and should not be granted for even this period, if less time will suffice for the journey from the place where the officer receives permission to return to duty to the Station which he is permitted to join.

[NOTE.—This rule applies to a Military Officer in Civil Employ; but, in his case, the permission to return to duty must be obtained from the Local Government.]

Cancellation of unused leave.

5. An officer permitted to return to duty before the end of his leave should have the unused part of his leave formally cancelled by the authority which granted it; but this is not necessary, if his return from leave is separately notified in the Gazette.

Exemption from loss of appointment and grant of allowance during subsidiary leave after absence without leave.

6. If the Local Government is satisfied that the default of an officer is due to circumstances beyond his control, it may exempt him from loss of appointment under this Section, but not from loss of allowances during the period of his absence without leave. If the officer is an Uncovenanted Civil Servant, the Local Government may authorise the payment to him of as much as it thinks fit of any allowances during subsidiary leave under Section 18 (*b*) to which he would have been entitled if he had not remained absent after the end of his leave.

7. So long as an officer retains a lien under this Section, or if he is exempted under Rule 6 from loss of appointment, absence after the end of his leave, though not counting as continuous service, does not operate as a break of continuous service or continuous active service as defined in Section 4 (*c*).

Change of appointment during furlough out of India.

8. If the appointment of an officer is changed during furlough or special leave out of India, or upon his reporting his return, he must join his new appointment within the subsidiary leave allowed him. (*See Section* 24 (*b*)). Nothing in excess of the allowances admissible for subsidiary leave can be passed to him until he joins his new office.

Change of appointment during furlough in India.

9. If the appointment of an officer is changed during furlough or special leave in India, he must join his new appointment within his leave. But the Local Government may allow him joining-time, if he have not had sufficient notice of the change.

Salary from date of assumption of office.

10. An officer begins to draw pay and acting allowance from the day on which he assumes the office (substantive or officiating) to which he may have been appointed, or on which he may have a lien. But if his leave or joining-time end on a Sunday or authorised holiday, and he take charge before noon on the first working day after such Sunday or holiday, his assumption of office and the re-arrangement of appointments and allowances (if any), consequent thereon, shall be held to have taken place on the day after that on which his leave ended; provided that such re-arrangement (if any) does not involve the transfer of any officer to another Station, or the formal appointment of any officer to a new office.

Officer of pilot vessel.

11. An officer or seaman serving on a pilot or light vessel attached to the Port of Calcutta is considered to have returned to duty on the day on which he reports himself to the Master Attendant.

Charge of office after noon.

12. If charge of an office is transferred after noon, the transfer does not affect allowances till the next day.

CHAPTER XIV.

APPLICATIONS FOR LEAVE.

Applications for leave.

Section **38**. Every application for leave is to be submitted to the Local Government, which will deal with it in such manner as the Governor General in Council may prescribe.

1 (*a*).* When an officer applies for leave, he should quote the Section or Rule of this Code under which he considers himself entitled to the leave.

* Applies to all gazetted officers in Civil Employ.

(*b*). After obtaining a report from the Accountant General upon the title of the applicant to the leave applied for, the Local Government may grant any leave admissible under the Code.

(*c*.)* Leave may be granted with retrospective effect from the date on which it is admissible.

(*d*). A Local Government granting leave to an officer of the Bengal, Madras, or Bombay Covenanted Civil Services serving out of his own Presidency, should inform the Government of India, Madras, or Bombay, as the case may be.

(*e*). Each Local Government should, at the end of each quarter, submit to the Government of India in the Home Department a statement of officers of the Bengal Covenanted Civil Service absent on furlough or special leave (including subsidiary leave) granted by it. A register prepared from these statements is kept in the Home Department, from which an extract is published quarterly in the *Gazette of India*.

Medical certificate.

2. An application from an officer in India for leave, or extension, or commutation, of leave, on medical certificate, must be accompanied by a certificate in the following form, or as nearly in this form as the circumstances allow:

> I, *A. B.*, surgeon at, or of, , do hereby certify that *C. D.*, of the service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea [*or to such place as the Surgeon may think proper, expressing it in the certificate*].

3. The applicant must (unless the state of his health absolutely prevent it, or, if he be an applicant for furlough in India, unless the Government to which he is subordinate otherwise permit) present himself with two copies of the statement of his case, either at the Presidency town of Bombay before one or more Medical Officers to be appointed to this duty by the Government of Bombay, or at the seat of the Government under which he is serving, before the Medical Board there, or if there be no such Board, before one or more Medical Officers to be appointed by that Government, and obtain a certificate as follows:—

> We (*or* I) do hereby certify that according to the best of our (*or* my) professional judgment, after careful personal examination of the case, we (*or* I) consider the health of C. D. to be such as to render leave of absence for a period of
> absolutely necessary for his recovery.

* Applies to leave granted under any of the Supplements to this Code.

4. If the state of the applicant's health be certified by a Covenanted Medical Officer, or by a Medical Officer in charge of a Civil Station, to be such as to make it highly inconvenient for him to repair to the seat of the Government of the Presidency or Province, the Local Government may accept a certificate from any two Medical Officers, either Covenanted or in charge of Civil Stations, provided neither of them is the regular medical attendant of the applicant. The certifying officers need not belong to the same Province as the applicant.

5. If an applicant for furlough in India is exempted by a Local Government from appearing at the seat of the Government, he should produce a certificate signed by at least two Medical Officers, either Covenanted or in charge of Civil Stations, provided neither of them is his regular medical attendant.

6. The grant in Rule 3 of the option of undergoing medical examination at Bombay does not confer on the applicant a right to leave without the sanction of the Government to which he is subordinate.

7. If the officer is going on leave out of India, he should take with him one copy of the medical report upon his case.

8.* A duplicate of the medical report upon the case of an officer going to Europe on medical certificate should be forwarded through the Government under which the officer is employed, for the information of the Medical Board attached to the India Office, so as to arrive as soon as the officer arrives in England.

9. If an applicant for an *extension or commutation of leave* on medical certificate be residing out of India, and within twenty miles from London, he must produce a certificate from the Medical Board attached to the India Office, showing the necessity for the extension or commutation. If he be residing more than twenty miles from London, certificates in the form given in Rule 3 must be produced from two medical practitioners; and he may be called upon to produce other evidence.

10.* An application for privilege leave should not be made more than six weeks before the leave is wanted.

11. Unless specially otherwise ordered, leave must begin within thirty-five days of the date on which it was granted.

12. When a Military Officer in Civil Employ applies for leave of absence on medical certificate, or proceeds to a port of embarkation for the purpose of appearing before a medical board, he should communicate his intention to his immediate departmental superior when he sends in his application, or before he leaves his Station, as the case may be. A copy of the order granting leave on medical certificate should be forwarded to such departmental superior by the Government which grants the leave.

* Applies to leave granted under any of the Supplements to this Code.

13. No-Demand Certificates are not required from officers going on leave except in the Public Works Department.

14. A Commissioned Military Officer in Civil Employ, going on leave, from the Public Works Department, is required to produce a No-Demand Certificate from the Controller of Public Works Accounts.

Priority of claim.

Section **39.** If under the operation of proviso (3), Section 12, the applications for furlough (including those under Section 35) cannot all be complied with, furlough will be granted in the following order :—

First.—To the applicant to whom most furlough is due:

Secondly.—Of two or more applicants to whom the same amount is due;—to him who has rendered longest continuous active service:

Thirdly.—Of two or more such applicants who have rendered the same continuous active service;—to the senior.

SCHEDULE A.

REFERRED TO IN SECTION 1 (*b*).

Officers holding substantive appointments, such as are usually held by Covenanted Civil Servants or Commissioned Officers of the Army, or any of those specified in the following list:—

LAND REVENUE.—Officers of the Settlement Department above the rank of Deputy Collector, or Extra Assistant Commissioner.

FOREST.—Assistant Conservators and officers of higher rank.

CUSTOMS.—Commissioner, Deputy Commissioner, and Collectors of Inland Customs, Deputy and Assistant Commissioners of Sea Customs.

OPIUM.—Sub-Deputy Opium Agents.

POST OFFICE.—Presidency Post Masters, Chief Inspectors, and officers of higher rank.

TELEGRAPH.—Assistant Superintendents and officers of higher rank.

ADMINISTRATION.—Assistant and Under Secretaries to Government, Superintendent of Government Printing.

SURVEY.—Trigonometrical, Topographical, and Revenue.—Assistant Surveyors and officers of higher rank.

Geological.—Officers on the graded list.

MINOR DEPARTMENTS.—Curator of the Indian Museum.

FINANCIAL.—Officers of the fifth and higher grades.

JUDICIAL.—Judges of the Chief Court of the Punjab (not being Barristers). Judges and Registrars of Presidency Small Cause Courts. Civil Judges in Oudh. Magistrates of Police in Presidency towns. Registrars of High Courts.

REGISTRATION.—Inspectors General of Registration.

POLICE.—District Superintendents and officers of higher rank.

MARINE.—Master Attendants, Deputy and Assistant Master Attendants and officers of higher rank.

EDUCATION.—Officers on the graded list.

MEDICAL.—Uncovenanted Medical Officers graded by the Notification in the Financial Department, No. 2295, dated 25th April 1867.

POLITICAL.—Assistant Political Agents.

PUBLIC WORKS.—Assistant Engineers of the 3rd grade and officers of higher rank. Assistant Controllers of Accounts and officers of higher rank.

Schedule A.

Nominal Roll of Officers who have been specially admitted to the benefit of the Rules in this Code.

Names.	Designation of Office held when the Officers were recommended for admission.
A.	
Adam, R. M.	Deputy Commissioner, Inland Customs.
Adams, J.	Assistant Engineer, 2nd grade, P. W. D., Bombay.
Adamson, J.	Assistant Conservator of Forests, 1st grade.
Addis, H. B.	Assistant Engineer, 1st grade, P. W. D.
Alexander, C. W. W. ...	Inspector of Schools, 2nd grade, Lahore Circle, Punjab.
Anderson, A.	Sub-Deputy Opium Agent, 2nd grade.
Anderson, C. C.	Superintending Engineer, 2nd grade, P. W. D.
Anderson, C. F.	Superintendent of Police, 5th grade, Central Provinces.
Anderson, J. A.	Assistant Engineer, 1st grade, P. W. D.
Anderson, J. G.	Deputy Commissioner, 2nd grade, Oudh.
Anderson, J. P. C., *Assoc. Inst. C. E.*	Executive Engineer, 1st grade, P. W. D.
Anley, A.	Superintendent of Police, 5th grade, Bengal.
Anley, G. A. D.	Executive Engineer, 2nd grade, P. W. D.
Anthony, A.	Deputy Accountant General, N.-W. P.
Archer, F. E., *Assoc. Inst. C. E.*	Executive Engineer, 4th grade, P. W. D.
Armstrong, C. M.	Sub-Deputy Opium Agent, 3rd grade.
Armstrong, L. H. C. ...	Assistant Engineer, 1st grade, P. W. D.
Arnot, Lieut. W. P. ...	Master Attendant, Rangoon, and Superintendent of Lighthouses.
Atkinson, A.	Executive Engineer, 4th grade, P W. D.
B.	
Bailey, B. C.	Superintendent, Telegraph Department.
Baker, Captain A.	Deputy Master Attendant, Calcutta.
Baker, E. B.	Superintendent of Police, 1st grade, Bengal.
Baker, J. E.	Medical Officer, Persian Telegraph Department.
Ball, V., *A. B.*	Assistant, 3rd grade, Geological Survey.
Barker, J.	Assistant Superintendent, Revenue Survey, 2nd grade, Mysore.
Barker, W. R.	Assistant Engineer, 2nd grade, P. W. D.
Barnfather, W.	Executive Engineer, 2nd grade, P. W. D.
Barrett, E. C.	Assistant Superintendent, Revenue Survey, 2nd grade.
Barrett, H.	Deputy Conservator of Forests, 2nd grade, in Canara, Bombay.
Barron, A H.	Assistant Engineer, 1st grade, P. W. D.
Bartlett, T. W.	Assistant Engineer, 1st grade, P. W. D.
Barwise, J. W.	Chief Inspector of Post Offices in British Burmah.
Bayley, R. D.	Executive Engineer, 3rd grade, P. W. D.
Beahan, H.	Assistant Engineer, 2nd grade, P. W. D.
Beale, J. A.	Assistant Engineer, 1st grade, P. W. D.
Bean, L. B.	Executive Engineer, 2nd grade, P. W. D.
Beaumont, W.	Deputy Superintendent of Revenue Survey, Madras.
Beckett, H. B.	Assistant Commissioner, 3rd grade, Punjab.
Beckett, J. O'B.	Senior Assistant Commissioner and Settlement Officer, Kumaon.
Beckett, W. O. A.	Assistant Commissioner, 1st grade, Bengal.
Beddy, J. F.	Assistant Commissioner, 1st grade, Central Provinces.
Beglar, J. D.	Assistant Engineer, 1st grade, P. W. D.
Bell, A. J.	Executive Engineer, 4th grade, P. W. D.
Bell, W. A.	Assistant Engineer, 1st grade, P. W. D.
Bennett, J., *M. Inst. C. E.* ...	Executive Engineer, 1st grade, P W. D.
Berrill, E.	Superintendent of Police, 4th grade, N.-W. P.
Berrill, J. M.	Superintendent of Police, 4th grade, Central Provinces

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Beverly, W. G.	Assistant Superintendent, Great Trigonometrical Survey, 2nd grade.
Beynon, R. R.	Deputy Superintendent, Revenue Survey, Berars.
Beyts, J. N. C.	Accountant in the Dockyard, Bombay.
Bickers, C.	Assistant Engineer, 2nd grade, P. W. D.
Biggs, T. H.	Assistant to the Comptroller General
Bird, G. R.	Assistant Engineer, 1st grade, P. W. D.
Biss, T. W.	Assistant Comptroller General.
Blanford, H. F.	Professor in the Presidency College, and Meteorological Reporter to Government, Bengal.
Blanford, W. T.	Deputy Superintendent, Geological Survey.
Blissett, T.	Superintendent, Telegraph Department.
Blochmann, H.	Assistant Professor in the Calcutta Madrissa, Bengal.
Blochman, J., *B. A.* ..	Assistant Engineer, 2nd grade, P. W. D.
Blood, B. W.	Executive Engineer, 4th grade, P. W. D.
Blotsky, F. Biallo	Assistant Superintendent, Telegraph Department.
Bond, F.	Executive Engineer, 1st grade, P. W. D.
Bonnaud, W. H.	Assistant Engineer, 1st grade, P. W. D.
Bowden, G.	Assistant Superintendent, Telegraph Department.
Bower, R.	Superintendent of Police, Ajmere.
Braddon, E. N. C.	Superintendent, Excise and Stamps, and Inspector General of Registration.
Bradford, E. O.	Deputy Commissioner, 1st grade, Oudh.
Bradley, R.	Assistant Engineer, 2nd grade, P. W. D.
Braham, F. E.	Assistant Engineer, 3rd grade, P. W. D.
Brandis, D., *Ph.D.* ...	Inspector General of Forests.
Brennand, W.	Principal of the Dacca College, Bengal.
Brereton, C.	Assistant Engineer, 3rd grade, P. W. D., Bombay.
Broadway, P. N.	Superintendent of Police, 4th grade, Punjab.
Brockman, W. D., *Assoc.Inst.C.E.*	Executive Engineer, 2nd grade, P. W. D.
Brooks, F. G.	Executive Engineer, 3rd grade, P. W D.
Brown, F. R.	Assistant Superintendent, Telegraph Department.
Brown, P. H.	Assistant Engineer, 1st grade, P W. D.
Browne, B.	Deputy Conservator of Forests, 2nd grade.
Browne, W. J.	Assistant Superintendent, Telegraph Department.
Browning, C. A. R., *M A.* ...	Director of Public Instruction, Oudh.
Bruce, R. J.	Assistant Commissioner, 2nd grade, Punjab.
Bruere, R. S. E	Superintendent of Police, 4th grade, Punjab.
Buckle, H.	Assistant Commissioner, 2nd grade, British Burmah.
Bull, H.	Assistant Engineer, 2nd grade, P. W. D.
Burr, K.	Civil Surgeon, Jeypore Agency.
Burton, J.	District Superintendent of Police, 4th grade, Oudh.
Butcher, E. H.	Assistant Superintendent, Revenue Survey, 2nd grade, Mysore.
Butts, H. H.	Assistant Settlement Officer, 2nd grade, Oudh.
Buyers, J. W.	Executive Engineer, 3rd grade, P. W. D.
Buyers, W. S.	Resident Engineer and Executive Engineer, 2nd grade, P. W. D., Bombay.
Byrne, A. B.	Assistant Engineer, 1st grade, P. W. D.
Byrne, E. S.	Deputy Accountant General, Assam.

C.

Cairns, J. G.	Assistant Superintendent, Telegraph Department.
Campbell, C. J., *M. Inst. C. E.* ...	Superintending Engineer, 2nd grade P. W. D.
Campbell, H. F.	Sub-Deputy Opium Agent, 5th grade
Campbell, J.	Assistant Superintendent, Revenue Survey, 1st grade.
Campbell, J. A.	Assistant Engineer, 2nd grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Campbell, R. P.	Magistrate of Police, Town of Madras.
Cardozo, H O. C.	Deputy Superintentent of Revenue Survey, Madras.
Carew, G. O'B.	Dock-master, Bombay.
Cargill, D.	Officiating Superintendent of Police, Oudh.
Carnegy, P.	Deputy Commissioner, 1st grade, Oudh.
Carnegy, P. T.	Assistant Commissioner, Assam.
Carson, H.	Assistant Superintendent, Telegraph Department.
Carter, W. B., *M. Inst. C. E.* ...	Executive Engineer, 2nd grade, P. W. D.
Cary, W.	Medical Officer in charge of Rohtak.
Castle, C. T.	Superintendent of Police, 4th grade, Etawa, N.-W. P.
Chambers, C., *F. R. S.* ...	Superintendent, Government Observatory, Bombay.
Chambers, N. A. R. ...	Assistant Engineer, 2nd grade, P. W. D.
Chapman, C.	Assistant Commissioner, Oudh.
Chisholm, J, W.	Inspector General of Registration, Superintendent of Stamps, and Commissioner of Excise, Central Provinces.
Christian, E. R.	Superintendent of Police, 3rd grade, Berars.
Christie, J. T.	District Superintendent of Police, 4th grade, Punjab.
Clark, B.	Assistant Engineer, 1st grade, P. W. D.
Clark, F. B.	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
Clarke, G. R.	Executive Engineer, 4th grade, P W. D.
Clarkson, J. G.	Executive Engineer, 4th grade, P. W. D.
Cleghorn, J. P.	Assistant Engineer, 3rd grade, P. W. D.
Cline, G. W., *LL.D.* and *Barrister-at-Law.* ...	Assistant to the Comptroller General.
Cloete, H. N. C.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Cole, W. H., *M.A.* ...	Assistant Superintendent, Great Trigonometrical Survey, 1st grade.
Collet, J., *M. Inst. C. E.* ...	Superintending Engineer, 3rd grade, P. W. D.
Collins, J, *B.A.*, *M. Inst. C. E.*	Executive Engineer, 3rd grade, P. W. D.
Colvin, R. P.	Deputy Conservator of Forests, 1st grade.
Conder, J.	Resident Engineer, and Executive Engineer, 2nd grade, P. W. D., Bombay.
Constable, E. T.	Educational Inspector, 1st Circle, N.-W. P.
Cooke, C. R.	Inspector of Schools, 3rd grade, Umballa, Punjab.
Cooke, G. H.	Assistant Superintendent, Revenue Survey, 3rd grade.
Cooke, J. E.	Deputy Accountant General, Madras.
Cooke, T., *M.A.*	Principal of the Poona Civil Engineering College, Bombay.
Coombes, H. A.	Superintendent of Police, Seebsagar.
Cordner, R. A.	Executive Engineer, 4th grade, P. W. D.
Cornish, W. H.	Superintendent of Police, 5th grade, Bengal.
Cotton, C. V. S.	Assistant Engineer, 2nd grade, P. W. D.
Cotton, H. C.	Executive Engineer, 2nd grade, P. W D.
Cotton, W. G. L.	Executive Engineer, 4th grade, P. W. D.
Cowie, H. G., *B.A.* ...	Assistant Accountant General, N.-W. P.
Cox, J. H. A.	Deputy Director of Revenue Settlement, Madras.
Crane, H. P.	Assistant Engineer, 3rd grade, P. W. D.
Cromarty, J. P.	Civil Surgeon, Oudh.
Crommelin, A. G.	Superintending Engineer, 2nd grade, P. W. D.
Crowther, J. B.	Deputy Master Attendant, Madras.
Cumberlege, N. R. .	Superintendent of Police, 2nd grade, Berars.

D.

Daly, A.	Assistant Conservator of Forests, 2nd grade.
Daly, W. W.	Superintendent of Police, 4th grade, Bengal.
Dangerfield, H.	Executive Engineer, 4th grade, P. W. D.
Daniell, H.	Assistant Engineer, 1st grade, P. W. D.
Darling, W. C.	Assistant Superintendent, Telegraph Department.
Davidson, J. Y.	Assistant Engineer, 1st grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Davies, R.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Davis, H. M.	Medical Officer, Pubna.
Davis, J. C.	Assistant Commissioner, 1st grade, British Burmah.
Davis, W. H.	Assistant Engineer, 2nd grade, P. W. D.
Davis, W. P.	Superintendent of Police, 1st grade, Bengal.
Dearden, J.	Professor in the Agra College, N.-W. P.
Dease, P. P.	Assistant Engineer, 2nd grade, P. W. D.
DeGrousilliers E	Executive Engineer, 3rd grade, P. W. D.
Deighton, K.	Principal of the Agra College, N.-W. P.
Dejoux, P.	Executive Engineer, 4th grade, P. W. D.
Dempster, J.	Assistant Engineer, 2nd grade, P. W. D.
DeRinzy, J. H.	Assistant Engineer, 1st grade, P. W. D.
Dewes, H.	Executive Engineer, 1st grade, P. W. D.
Dick, R.	Professor in the Delhi Government College, Punjab.
Dickson, W. P.	Medical Officer and Superintendent, Central Jail, Rupar, Punjab.
Dillon, J.	Chief Inspector of Post Offices, Oudh.
Dobbie, G.	Assistant Superintendent, Revenue Survey, 2nd grade, Mysore.
Dobbs, R. C.	Executive Engineer, 1st grade, P. W. D.
Dobbs, R. S.	Assistant Engineer, 1st grade, P. W. D.
Dodd, A. J.	Master Attendant of Moulmein.
Dodsworth, G. W.	Executive Engineer, 4th grade, P. W. D.
Doig, S.	Assistant Engineer, 1st grade, P. W D., Bombay.
Donald, W.	Assistant to the Accountant General, Madras.
Dooley, M. S.	Assistant Engineer, 1st grade, P. W. D
Douglas, E. R.	Chief Inspector of Post Offices, Central Provinces.
Doyle, J. P.	Executive Engineer, 2nd grade, P. W. D.
Drake, R.	Sub-Deputy Opium Agent, 4th grade.
Dresser, F.	Assistant Engineer, 1st grade, P. W. D, Bombay.
Drysdale, A. T.	Assistant Conservator of Forests, 2nd grade.
Drysdale, T.	Registrar, Court of the Judicial Commissioner, Central Provinces.
Dubus, A.	Executive Engineer, 3rd grade, P. W. D
Duff, G.	Deputy Conservator of Forests, 3rd grade.
Duff, J. C.	Superintendent of Police, 4th grade, Central Provinces.
Duffin, C.	Assistant Superintendent, Telegraph Department.
Duke, C. J.	Assistant Commissioner, 2nd grade, British Burmah.
Dumayne, T. J.	Assistant Engineer, 3rd grade, P. W. D.
Duncan, M.	Executive Engineer, 3rd grade, P. W. D.
Dunn, W. H.	Executive Engineer, 3rd grad , P. W. D.
Dupuis, G. H.	Executive Engineer, 4th grade, P. W. D.
Dyson, J.	Judge, Small Cause Court, Oudh.

E.

Edwards, F. L.	Superintendent of Police, 4th grade, Punjab.
Ellis, J. W.	Medical Officer of Humeerpore.
Evans, C. T.	Assis ant Engineer, 1st grade, P. W. D.

F.

Faulkner, G. H.	Executive Engineer, 2nd grade, P. W. D.
Faulkner, G. W.	Assistant Engineer, 2nd grade, P. W D.
Fedden, F., *F. G. S.* ...	Assistant, 3rd grade, Geological Survey.
Fenner, W. A.	Conservator of Forests in Sind.
Fennessey, J.	Executive Engineer, 2nd grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Ferdinands, J. B.	Medical Officer in charge of the Civil Station, and Superintendent of the Jail, Bilaspur.
Ferguson, J.	Civil Surgeon, Gujrat.
Fernie, W.	Assistant Engineer, 1st grade, P. W. D.
Field, G.	Sub-Deputy Opium Agent, 2nd grade.
Fink, R. A.	Assistant to the Comptroller General.
FitzGerald, G.	Deputy Accountant General, Bengal.
FitzJames, F.	Executive Engineer, 3rd grade, P. W. D.
Fleischer, M.	Assistant Superintendent, Telegraph Department.
Foote, R. B., *F. G. S.* ...	Assistant, 2nd grade, Geological Survey.
Forbes, C. J. F. S.	Assistant Commissioner, 1st grade, British Burmah.
Forrest, R. E., *M. Inst. C. C.* ...	Executive Engineer, 1st grade, P. W. D.
Foster, C. W. E.... ...	Civil Surgeon, British Burmah, Unattached).
Foster, E.	Assistant Engineer, 2nd grade, P. W. D.
Fouracres, C.	Executive Engineer, 3rd grade, P. W. D.
Fraser, J. E., *Assoc. Inst. C. E.*	Assistant Engineer, 1st grade, P. W. D.
Fraser, L. V.	Assistant Superintendent, Telegraph Department.
Froude, R. H., *B. A.* ...	Assistant Engineer, 1st grade, P. W. D.
Furnivall, W. C., *M. Inst. C. E.*	Superintending Engineer, 2nd grade, P. W. D.

G.

Gallott, J. L., *M. Inst. C. E.* ...	Executive Engineer, 1st grade, P. W. D.
Galwey, W. J., *M. Inst. C. E.*	Executive Engineer, 1st grade, P. W. D.
Garbett, H.	Executive Engineer, 1st grade, P. W. D.
Garrett, J. P.	Superintendent of Government Press and Compiler of the Gazette, Mysore.
Garstin, N. A.	Superintendent of Police, 4th grade, Oudh.
Gastrell, H. E.	Assistant Superintendent, Revenue Survey, 3rd grade.
Geoghegan, S.	Assistant Engineer, 2nd grade, P. W. D.
George E. C.	Chief Inspector of Frontier Travelling Post Offices, Allahabad.
Gibson, H. W.	Assistant Commissioner, 1st grade, Oudh.
Gilbert, E. L.	Executive Engineer, 3rd grade, P. W D.
Gilby, H. F.	Assistant Engineer, 2nd grade, P. W. D., Madras.
Giles, A. H.	Superintendent of Police, 3rd grade, Bengal.
Giles, E.	Master Attendant, Kurrachee.
Girdlestone, F. B.	Deputy Superintendent, 2nd grade, Topographical Survey.
Glasgow, F. C.	Assistant Engineer, 1st grade, P. W. D.
Glass, J. G. H.	Executive Engineer, 4th grade, P. W. D.
Glynn, W.	Deputy Commissioner, 3rd grade, Oudh.
Goad, H. B.	Superintendent of Police, 4th grade, N.-W. P.
Goodchap, W. A.	Executive Engineer, 4th grade, P. W. D., Madras.
Gordon, W. E.	Assistant Accountant General, Bombay.
Gough, G.	Assistant Superintendent, Telegraph Department.
Gouldsbury, J. M. E. ...	Superintendent of Police, 5th grade, Bengal.
Graham, H. C.	Executive Engineer, 2nd grade, P. W. D.
Gramatzki, E.	Assistant Engineer, 1st grade, P. W. D.
Grant, A., *M. Inst. C. E.* ...	Superintending Engineer, 1st grade, P. W. D.
Gray, C. J.	Assistant Examiner, Fund Accounts, Bengal.
Greenway, F.	Assistant to the Head Commissioner of Paper Currency.
Greenwood, C.	Assistant Engineer, 2nd grade, P. W. D.
Greig, G.	Deputy Conservator of Forests, 2nd grade.
Griffith, F. R.	Executive Engineer, 1st grade, P. W. D., Bombay.
Griffiths, R. T. H. ...	Principal of the Benares College, N.-W. P.
Grimes, J.	Assistant Engineer, 2nd grade, P. W. D., Madras.
Grote, A. G.	Assistant Commissioner, 3rd grade, Oudh.
Gwyther, H.	Executive Engineer, 3rd grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
H.	
Hacket, C. A.	Assistant, 3rd grade, Geological Survey.
Hallum, E. H.	Engineer, 4th grade, P. W. D., Bombay.
Hamilton, R. C. A.	District Superintendent of Police, 3rd grade, Oudh.
Hamilton, R. E.	Assistant to the Accountant General, Bombay.
Hamilton, R. H.	Superintendent of Police, 5th grade, Central Provinces.
Handley, H J.	Assistant Engineer, 1st grade, P. W. D
Hankin, M. P.	Superintendent of Police, 5th grade, Central Provinces.
Hanna, S. G.	Executive Engineer, 4th grade, P. W. D.
Harington, H. B, *M. A.*	Assistant Settlement Officer, 1st grade.
Harrington, W. S.	Executive Engineer 1st grade, P. W. D., Madras.
Harris, F. D.	Executive Engineer, 4th grade, P. W. D., Madras.
Harrison, A. S.	Principal of Muir's College, Allahabad, N -W. P.
Hart, J. H. E.	Architectural Executive Engineer and Surveyor, P. W. D., Bombay.
Hawkes, F. A.	Executive Engineer, 4th grade, P. W. D.
Hawksworth, J M.	Assistant Engineer, 1st grade, P. W. D., Madras.
Hay, D.	Assistant Commissioner, 1st grade, Inland Customs.
Heenan, R. H., *Assoc. Inst. C. E.*	Assistant Engineer, 1st grade, P. W. D.
Hennessey, J. B. N., *F. R. A. S., F. R. G. S.*	Deputy Superintendent, Great Trigonometrical Survey, 1st grade.
Hennessey, W. C.	Executive Engineer, 4th grade, P. W. D.
Hennessy, S. H.	Assistant Commissioner, 3rd grade, Central Provinces.
Henry, J. W.	Executive Engineer, 2nd grade, P. W. D.
Henslowe, F. B., *Assoc. Inst. C. E.*	Executive Engineer, 4th grade, P. W. D.
Henslowe, C. W. E.	Executive Engineer, 4th grade, P. W. D.
Herdon, J. H.	Superintendent of Police, 3rd grade, Punjab.
Hervey, H. J. A.	Assistant Superintendent, Telegraph Department.
Hexton, W. S.	Assistant Conservator of Forests, 2nd grade, in Sind.
Heyman, J. S., *M. Inst. C. E.*	Executive Engineer, 1st grade, P. W. D.
Heymerdinger, C.	Assistant Superintendent, Telegraph Department.
Hickie, E.	Collector, 2nd grade, Inland Customs.
Higgins, J. J.	Superintendent of Police, 3rd grade, Central Provinces.
Higginson, F. W.	Civil Surgeon, Oudh.
Hill, T. C.	Assistant Superintendent, Telegraph Department.
Hobson, E. A.	Assistant Superintendent of Police, Berars.
Hodson, R. G.	Inspector of Schools in the first Circle, in Mysore.
Hoghton, W. A.	Chief Inspector of Post Offices in Sind and Persian Gulf.
Holbrow, S. C.	Superintendent of Police, 4th grade, Punjab.
Hollingbery, R. H.	Assistant Secretary to the Government of India, Financial Department.
Home, A. L.	Deputy Conservator of Forests, 3rd grade.
Hope, C. W.	Executive Engineer, 3rd grade, P. W. D.
Hordern, C.	Deputy Commissioner, 3rd grade, Berars.
Horst, H.	Assistant Superintendent 1st grade, Topographical Survey.
Hough, A.	Assistant Commissioner, 2nd grade, British Burmah.
Hudson, H.	Deputy Accountant General, Mysore.
Hughes, E. W. M.	Assistant Engineer, 2nd grade, P. W. D.
Hughes, T. W. H., *A. R., S. M., F. G. S.*	Assistant, 3rd grade, Geological Survey.
Hunt, E. L.	Assistant Engineer, 1st grade, P. W. D.
Hunter, A. W.	Assistant Engineer, 2nd grade, P. W. D., Madras.
Hutchinson, C. W.	Post Master General, 2nd grade, N. W. P.
Hyde, E.	Executive Engineer, 4th grade, P. W. D.
Hyndman, P, K.	Executive Engineer, 2nd grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
I.	
Ingle, G.	Secretary to Superintendent of Marine and of the Dockyard, Bombay.
Inglis, J. W., *Assoc. Inst. C. E.*	Executive Engineer, 2nd grade, P. W. D.
Innes, C.	Executive Engineer, 4th grade, P. W. D.
Ireland, W. deCourcy ...	Deputy Commissioner, 3rd grade, British Burmah.
Irwin, H.	Executive Engineer, 4th grade, P. W. D.
J.	
Jackson, E. J.	Assistant Superintendent, Revenue Survey, 2nd grade.
Jacob, W.	Deputy Conservator of Forests, 2nd grade.
James, E.	Assistant Engineer, 2nd grade, P. W. D.
James, J.	Executive Engineer, 3rd grade, P. W. D.
James, W. E. A.	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
James, W. R. N.	Assistant Commissioner, 2nd grade, N.-W. P.
Jameson, T. D.	Superintendent of Police, 5th grade, British Burmah.
Jerdon, C. M.	Sub-Deputy Agent, 4th grade.
Johnson, E. T. S.	Deputy Superintendent, Revenue Survey, 3rd grade.
Johnson, H.	Executive Engineer, 3rd grade, P. W. D.
Johnson, W. H.	Assistant Engineer, 1st grade, P. W. D.
Johnstone, F. J., *Assoc. Inst. C. E.*	Executive Engineer, 1st grade, P. W. D.
Johnstone, W.	Assistant Engineer, 1st grade, P. W. D.
Jones, J. J.	Assistant Engineer, 1st grade, P. W. D.
Jones, T.	5th Judge, Court of Small Causes, Calcutta.
Jopp, D. A. W.	Assistant Engineer, 2nd grade, P. W D.
Josephs, S. J.	Assistant Superintendent, Telegraph Department.
K.	
Keelan, E. J.	Assistant Engineer, 1st grade, P. W. D.
Kellner, E. W.	Assistant to the Comptroller General.
Kellner, G. W.	Accountant General, Military Department.
Kelly, M. A.	Assistant Engineer, 1st grade, P. W. D.
Kempson, M.	Director of Public Instruction, N.-W. P.
Kidd, H. A.	Medical Officer in charge of the Civil Station and Superintendent of the Jail, Mundla.
Kiernander, C. R.	Deputy Accountant General, Punjab.
Kimber, J., *Assoc. Inst. C. E.* ...	Executive Engineer, 2nd grade, P. W. D.
King, C.	Commander in the Bengal Marine.
King, M.	Assistant Engineer, 1st grade, P. W. D.
King, W., Junior, *A. B.* ...	Assistant, 2nd grade, Deputy Superintendent, Geological Survey, for Madras.
Kirby, F.	Executive Engineer, 3rd grade, P. W. D.
Kirk, J.	Consul-General, Zanzibar.
Kirke, W.	Inspector General of Registration and Superintendent of Stamps, Punjab.
Knight, T.	Executive Engineer, 3rd grade, P. W. D.
Knowles, T. W.	Executive Engineer, 2nd grade, P. W. D.
Knowlys, H. B.	Assistant Commissioner, 2nd class, Berars.
Knox, G.	Deputy Commissioner, 1st grade, Punjab.
Knyvett, R.	Superintendent of Police, 4th grade, Futtehghur, N.-W. P.
Kriens, C.	Assistant Engineer, 1st grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
L.	
Lackersteen, M. R. ...	Assistant Engineer, 1st grade, P. W. D.
Lambert, J.	Deputy Commissioner of Police, Calcutta and Suburbs.
Landon, F. H.	Assistant Engineer, 2nd grade, P. W. D.
Lane, J. M.	Superintendent, Telegraph Department.
Lane, W.	Deputy Superintendent, Revenue Survey, 2nd grade.
Laughlin, R. C.	Assistant Superintendent, Telegraph Department.
Lawford, A. C.	Executive Engineer, 2nd grade, P. W. D., Madras.
Leeds, H.	Deputy Conservator of Forests, 1st grade.
Leggatt, G. R.	Assistant Engineer, 1st grade, P. W. D., Madras.
Leggatt, W. B.	Executive Engineer, 3rd grade, P. W. D., Madras.
Lennox, P. deL.	Assistant Engineer, 2nd grade, P. W. D.
Lesmond, W. A.	Assistant Engineer, 2nd grade, P. W. D.
Leupolt, C. B.	Executive Engineer, 4th grade, P. W. D.
Leupolt, H. J.	Assistant Engineer, 2nd grade, P. W. D.
Levinge, H. C.	Superintending Engineer, 1st grade, P. W. D.
Lincke, J. E. P.	Assistant Engineer, 2nd grade, P. W. D.
Lincoln, F.	Civil Judge, Lucknow.
Lincoln, J. S.	Assistant Superintendent, Telegraph Department.
Lindsay, W. T.	Professor in the Lahore College, Punjab.
Livesay, C. E.	Assistant Engineer, 1st grade, P. W. D.
Lloyd, J. A. D.	Assistant Engineer, 1st grade, P. W. D.
Lloyd, R. A.	Educational Inspector, 2nd Circle, N.-W. P.
Locke, H. H.	Principal of the School of Arts, Calcutta, Bengal.
Login, E. W. S.	Assistant to the Commissioner of Paper Currency, Bombay.
Long, G. R.	Executive Engineer, 2nd grade, P. W. D.
Longmore, W. H.	Assistant Engineer, 2nd grade, P. W. D.
Low, G.	Officiating Superintendent of Police, Oudh.
Lowry, R. J.	Assistant Engineer, 1st grade, P. W. D., Madras.
Lungley, R. B.	Commander in the Bengal Marine.
Lynch, S. S.	Superintendent of the Jail at Alipore.
M.	
MacDowell, J.	Assistant Engineer, 1st grade, P. W. D.
MacGeorge, H. J.	Assistant Commissioner, 1st grade, Central Provinces.
Mackay, W.	Assistant Engineer, 1st grade, P. W. D.
Mackey, J.	Deputy Accountant General, Hyderabad.
Mackinnon, M. C., *Assoc. Inst. C. E.*	Assistant Engineer, 2nd grade, P. W. D.
Macleod, D. G.	First Judge, Court of Small Causes, British Burmah.
Macleod, G. W.	Assistant to the Accountant General, Bengal.
MacMahon, W. O'B. ...	Assistant Commissioner, 3rd grade, Oudh.
MacMillan, J.	Executive Engineer, 1st grade, P. W. D.
Maconochie, G. B.	Settlement Officer, Oudh.
Macrae, J. K.	Deputy Commissioner, 4th grade, British Burmah.
Macrone, W. B.	Executive Engineer, 1st grade, P. W. D.
Mallett, F. R., *F. G. S.* ...	Assistant, 2nd grade, Geological Survey.
Marks, C. B. D.	Assistant Superintendent, Telegraph Department.
Marrice, H. P.	Assistant Engineer, 2nd grade, P. W. D., Bombay.
Marriott, A. B.	Superintendent of Police, 5th grade, Central Provinces.
Marshall, F. C.	Executive Engineer, 2nd grade, P. W. D.
Martin, C. A.	Professor in the Krishnagur College, Bengal.
Martin, T., *M. Inst. C. E.* ...	Executive Engineer, 1st grade, P. W. D.
Mathews, C.	Chief Engineer and Inspector of Machinery in the Dockyard, Bombay.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Maxwell, J. F.	Executive Engineer, 4th grade, P. W. D.
McAndrew, J.	Superintendent of Police, 3rd grade, Punjab.
McAtkinson, H.	Assistant Engineer, 2nd grade, P. W. D.
McCrindle, J. W., *M. A.*	Principal in the Patna College, Bengal.
McCuddon, E. J.	Assistant Engineer, 3rd grade, P. W D., Bombay.
McEwen, R. S. T.	Judge, Court of Small Causes, Calcutta.
McGill, J.	Assistant Superintendent, Great Trigonometrical Survey, 2nd grade.
McGowan, W. H.	Post Master, Calcutta.
McGrath, E. R.	Assistant Superintendent, Telegraph Department.
McGregor, J.	Chief Engineer, Government Dockyard, Kidderpore, and Surveyor of Steam Vessels, Port of Calcutta.
McKenzie, R. C.	Executive Engineer, 4th grade, P W. D.
McLeod, R.	Medical Officer, Gya.
McRae, J. H.	Executive Engineer, 2nd grade, P. W. D.
McReddie, G. D.	Civil Surgeon, Oudh.
Medley, E. B.	Executive Engineer, 4th grade, P. W. D.
Meiklejohn, G. F.	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
Meiklejohn, R. M.	Civil Surgeon, Muscat.
Mercer, W. H.	Superintendent of Police, 4th grade, Punjab.
Meredith, J.	Medical Officer, Nowgong.
Middleton, C. J.	Assistant Engineer, 2nd grade, P. W. D.
Midwinter, W. C	Assistant Commissioner, 4th grade, British Burmah.
Miller, C.	Magistrate of Police and Coroner, Calcutta.
Miller, J. A. E.	Secretary to Financial Commissioner, Punjab, ranking as Assistant Commissioner, 3rd grade.
Milne, G. P.	Assistant Engineer, 1st grade, P. W. D.
Milsom, B. P.	Assistant Engineer, 3rd grade, P. W. D.
Moberley, G. J.	Superintendent, Telegraph Department.
Molecey, G. T.	Executive Engineer, 3rd grade, P W. D., Bombay.
Monk, H. L.	Executive Engineer, 4th grade, P. W D.
Montserrat, W. M.	Assistant Engineer, 1st grade, P W D, Madras.
Moore, F. E.	Assistant Commissioner, 1st grade, Punjab.
Moran, P. J.	Assistant Engineer, 1st grade, P. W. D.
Morland, H.	Agent for Transports and Assistant Resident Transport Officer, Bombay.
Morris, M.	Superintendent of Police, 4th grade, Punjab.
Mountjoy, W. J.	Civil Surgeon of Akyab.

N.

Naylor, R. D. G.	Assistant Superintendent, Telegraph Department.
Nedham, W. A.	Assistant Commissioner, 3rd grade, Central Provinces.
Nelson, P	Executive Engineer, 4th grade, P. W. D.
Nelson, R.	Assistant Engineer, 2nd grade, P. W. D.
Nepean, C. F.	Assistant Conservator of Forests, 2nd grade.
Nethersole, W., *M. Inst. C. E.*	Superintending Engineer, 2nd grade, P. W. D.
Neuville, P. J.	Executive Engineer, 3rd grade, P. W. D.
Nicholetts, H. S.	Assistant Commissioner, 3rd grade, Berars.
Nielly, A.	Assistant Engineer, 2nd grade, P. W. D.
Nisbet, A. C.	Civil Surgeon of Tavoy.
Nordmann, R. F.	Executive Engineer, 4th grade, P. W. D., Madras.
Norfor, R. E.	Executive Engineer, 3rd grade, P. W. D., Madras.
Norman, J.	Assistant Engineer, 1st grade, P. W. D.
Nunn, E. C.	Collector, 4th grade, Inland Customs.
Nuthall, R. D.	Superintendent of Kheddas, Dacca.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
O.	
O'Brien, P.	Executive Engineer, 1st grade, P. W. D.
O'Callaghan, J. E .. .	Deputy Conservator of Forests, 2nd grade.
O'Donnell, G.	Superintendent, Telegraph Department.
O'Flaherty, J. J.	Assistant Engineer, 1st grade, P. W. D.
O'Shaughnessy, J.	Executive Engineer, 4th grade, P. W. D., Madras.
O'Toole, L.	Assistant Engineer, 3rd grade, P. W D.
Odling, T. F.	Medical Officer, Persian Telegraph Department.
Oldham, R. A., *Assoc. Inst. C. E.*	Executive Engineer, 4th grade, P. W. D.
Oliver, J. H.	Deputy Commissioner, 1st grade, Punjab.
Osborne, H.	Sub-Deputy Opium Agent, 4th grade.
P.	
Paczold, A.	Assistant Engineer, 2nd grade, P. W. D.
Palliser, H. G.	Assistant Engineer, 1st grade, P. W. D., Madras.
Palmer, C. G.	Assistant Engineer, 1st grade, P. W. D.
Palmer, W.	Compiler, ranking as Superintendent, Telegraph Department.
Parker, G. G.	Superintendent of Police, 5th grade, N.-W. P.
Parker, J. L., *M. Inst. C. E.* ..	Superintending Engineer, 2nd grade, P. W. D.
Parker, W. H.	Executive Engineer, 1st grade, P. W. D.
Parkinson, T. F.	Executive Engineer, 2nd grade, P. W. D.
Parry, R.	Professor in the Hooghly College, Bengal.
Parry, W. E.	Executive Engineer, 3rd grade, P. W. D.
Parsick, E. ..	Assistant Engineer, 2nd grade, P. W. D.
Patch, J.	Superintendent of Police, 5th grade, Bengal.
Pattison, W. H.	Superintendent of Police, 4th grade, British Burmah.
Peacock, E. B.	Assistant Commissioner, 3rd grade, Punjab.
Pearson, C.	Inspector of Schools, 2nd grade, Rawul Pindee, Punjab.
Pemberton, F. B. ...	Executive Engineer, 3rd grade, P. W. D.
Peppe, T. F.	Sub-Deputy Opium Agent, 2nd grade.
Peppin, W. B.	Superintendent of Police, 4th grade, N.-W. P.
Percy, M.	Post Master, Madras.
Pereira, E. S. R.	Assistant Engineer, 2nd grade, P. W. D.
Perreau, R. A. D.	Assistant Commissioner, 3rd grade, British Burmah.
Pettit, G.	Assistant Engineer, 2nd grade, P. W. D.
Philpott, O.	Executive Engineer, 4th grade, P. W. D.
Pitt, R. B	Assistant Superintendent, Revenue Survey, Hyderabad.
Pope, J. F.	Executive Engineer, 3rd grade, P. W. D.
Porter, W.	Master Attendant, Akyab, in British Burmah.
Pratt, W. D.	Superintendent of Police, 4th grade, Bengal.
Price, J A.	Assistant Engineer, 2nd grade, P. W. D.
Pringle, E. H.	Assistant Engineer, 1st grade, P. W. D., Madras.
Puckle, F. C. ...	Deputy Superintendent of Revenue Survey, Madras.
Purdon, W., *M. Inst. C. E.* ...	Superintending Engineer, 2nd grade, P. W. D.
R.	
Raitt, A. G. L.	Assistant Engineer, 3rd grade, P. W. D., Bombay.
Ray, T. B.	Assistant Commissioner, 2nd grade, Inland Customs.
Read, H.	Deputy Commissioner, 4th grade, Central Provinces.
Reid, J. H.	Assistant Engineer, 1st grade, P. W. D.
Rice, B. L.	Director of Public Instruction, Mysore.
Richards, V.	Civil Medical Officer of Balasore.
Richardson, G.	Assistant Superintendent, Telegraph Department.
Ricketts, A.	Assistant Engineer, 2nd grade, P. W. D.
Ricketts, L.	Judge, Small Cause Court, Mysore.
Rigby, V.	Executive Engineer, 3rd grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Roberts, C. H.	Assistant Engineer, 1st grade, P. W. D.
Roberts, L. R., *Assoc. Inst. C. E.*	Executive Engineer, 2nd grade, P. W. D.
Roberts, P. B.	Assistant Engineer, 1st grade, P. W. D.
Roberts, T. R.	Assistant Engineer, 1st grade, P. W. D.
Robinson, G. T.	Superintendent of Marine and Dockyard, and Resident Transport Officer, Bombay.
Robson, W., *M. D.*	Assistant Professor in the Presidency College, Bengal.
Rochfort, M B.	Superintendent of Police, 4th grade, Bengal.
Rogers, A. C.	Assistant Engineer, 3rd grade, P. W. D.
Rollo, J. T.	Assistant Engineer, 2nd grade, P. W. D.
Ronaldson, H.	Assistant to the Accountant General, Bengal.
Rose, F. E.	Assistant Engineer, 1st grade, P. W. D.
Rossenrode, W. C.	Deputy Superintendent, G T. Survey, 3rd grade.
Rowe, F. J., *M. A.*	Professor in the Hooghly College, Bengal.
Rundall, C.	Deputy Director of Revenue Settlement, Madras.
Rundall, J. W.	Executive Engineer, 2nd grade, P. W. D., Madras.
Rundle, C. S., *M. Inst., C. E.* ...	Executive Engineer, 1st grade, P. W. D.
Russell, A. M.	Assistant Commissioner, 1st grade, and Settlement Officer, Central Provinces.
Russell, C. M.	Medical Officer, Sarun.
Ryves, T. J.	Superintendent of Police, 3rd grade, N.-W. Provinces.

S.

Sage, G. S. ...	Executive Engineer, 2nd grade, P. W D., Madras.
Salmon, A.	Assistant Engineer, 2nd grade, P. W. D.
Sampson, A. B., ...	Under Secretary to the Government of India in the Public Works Department.
Sconce, C.	Superintendent of the Central Jail at Midnapore.
Sconce, G. C.	Judge, Court of Small Causes, Calcutta.
Scotland, J. P.	Assistant Engineer, 2nd grade, P. W. D.
Scott, H.	Executive Engineer, 2nd grade, P. W. D.
Scott, J. M., *B. A.*	Professor in the Civil Engineering Department of the Presidency College, Bengal.
Scott, J. R.	Assistant Engineer, 2nd grade, P. W. D.
Scott, T. W.	Assistant Engineer, 2nd grade, P. W. D.
Searle, W L.	Marine Store-keeper, Bombay,
Shanks, W. W.	Assistant Engineer, 1st grade, P. W. D.
Shannon, R. J.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Shaw, A. R.	Collector, 4th grade, Inland Customs.
Shaw, C. J.	Superintending Engineer, P. W. D., Bombay.
Shelverton, C.	Assistant Engineer, 1st grade, P. W. D.
Shuttleworth, A. T.... ...	Conservator of Forests, N. D., Bombay.
Shutz, J.	Medical Officer of Futtehpore.
Sibold, E. A.	Executive Engineer, 4th grade, P. W. D.
Sime, J.	Principal of the Delhi College, Punjab.
Simpson, J. T.	Assistant Engineer, 2nd grade, P. W. D.
Slater, J. S.	Assistant Engineer, 2nd grade, P. W. D.
Slym, M. J. ...	Deputy Conservator of Forests, 2nd grade.
Smallman, H.	Assistant Engineer, 2nd grade, P. W. D.
Smart, J.	Assistant Engineer, 3rd grade, P. W. D.
Smart, R. B.	Deputy Superintendent, Revenue Survey, 2nd grade.
Smart, W.	Assistant Engineer, 1st grade, P W. D.
Smith, H.	Officiating Superintendent of Police, Oudh.
Smith, J. D.	Executive Engineer, 1st grade, P. W. D.
Smith, R.	Executive Engineer, 1st grade, P. W. D , Madras.
Smith, S.	Police Surgeon, Surgeon to the Coroner, and Health Officer of the Port of Bombay.
Smith, S.	Superintendent of Police, 4th grade, N.-W. P.
Smith, T.	Superintendent of Police, 3rd grade, Punjab.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
Smith, W. A.	Executive Engineer, 4th grade, P. W. D.
Span, J. M.	Executive Engineer, 3rd grade, P. W. D.
Stack, G. A.	Professor in the Bareilly College, N.-W. P.
Stack, O S.	Superintendent of Police, 2nd grade, Bengal.
Stainforth, B.	Superintendent of Police, 5th grade, Oudh.
Stanbrough, H.	Health Officer, Madras.
Steell, J.	Executive Engineer, 2nd grade, P. W. D.
Stent, W. K.	Assistant Engineer, 2nd grade, P. W. D.
Sterndale, R. A.	Assistant to the Comptroller General.
Stewart, S. A.	Executive Engineer, 2nd grade, P. W. D.
St John, R. F. St. A. ..	Deputy Commissioner, 4th grade, British Burmah.
Stoddard, A.	Executive Engineer, 3rd grade, P. W. D.
Stoney, T. B.	Executive Engineer, 3rd grade, P. W. D.
Store, S. J.	Superintendent of Police, 4th grade, Punjab.
Story, R H. . .	Assistant Commissioner, 3rd grade, N.-W. P.
Strettell, G. W.	Deputy Conservator of Forests, 2nd grade.
Stuart, C. A.	Post Master, Bombay.
Sutherland, R K.	Assistant Accountant General, Military Department.

T.

Tait, G. H., *Assoc. Inst. C. E.* ...	Executive Engineer, 3rd grade, P. W. D.
Talbot, H. B.	Assistant Superintendent, Revenue Survey, 2nd grade.
Taylor, F.	Executive Engineer, 4th grade, P. W. D.
Taylor, J.	Assistant to the Accountant General, Bengal.
Tawney, C. H., *M. A.* ...	Professor in the Presidency College, Bengal.
Thatcher, W.	Executive Engineer, 3rd grade, P. W. D.
Theobald, W., *F. G. S.* ...	Assistant, 1st grade, Geological Survey.
Thomas, G	Assistant Engineer, 1st grade, P. W. D.
Thomas, W. C.	Superintendent of Police, 3rd grade, N.-W. P.
Thomson, A.	Senior Inspector of Schools, Oudh.
Thompson, E. ...	Principal, Presidency College, Madras.
Thompson, R. H. E. .	Deputy Conservator of Forests, 3rd grade.
Thomson, D. W.	Inspector of Schools, 4th grade, Multan, Punjab.
Thomson, Dr. Murray ...	Professor of Experimental Science in the Thomason College at Roorkee, and Chemical Examiner and Meteorological Reporter to the Government of the N.-W. P.
Trench, A. F.	Assistant Engineer, 3rd grade, P. W. D.
Tresham, J.	Assistant Engineer, 2nd grade, P. W. D.
Trotter, E. W. . .	Assistant Secretary to Government, Punjab.
Turnbull, J.	Superintendent of Police, 4th grade, Punjab.
Tween, A.	Assistant, 3rd grade, Curator and Registrar, Geological Survey.
Twidale, C.	Assistant Engineer, 2nd grade, P. W. D.
Tyler, J. W.	Superintendent of District and Central Jails, Meerut.
Tyndall, H.	Executive Engineer, 3rd grade, P. W. D.
Tytler, A. G.	Sub-Deputy Opium Agent, 5th grade.
Tytler, F.	Assistant Engineer, 3rd grade, P. W. D.

V.

Vacher, H.	Executive Engineer, 4th grade, P. W. D.
Van Ingen, C. F.	Assistant Superintendent, Telegraph Department.
Vanstavern, T.	Executive Engineer, 2nd grade, P. W. D.
Vernon, J.	Executive Engineer, 3rd grade, P. W. D.
Vertannes, J. C.	Executive Engineer, 1st grade, P. W. D
Vice, G. W., *Assoc. Inst. C. E.* .	Assistant Engineer, 1st grade, P. W. D.
Vigors, T. M.	Executive Engineer, 2nd grade, P. W. D.
Vines, E. A	Superintendent of Police, 5th grade, Bengal.
Vivian, G. W., *M. Inst. C. E.* ..	Executive Engineer, 1st grade, P. W. D.

Schedule A.

Names.	Designation of Office held when the Officers were recommended for admission.
W.	
Waagen, W., *Ph. D.*	Assistant, 3rd grade, Geological Survey.
Waddington, R.	Superintendent of Police, 3rd grade, N.-W. P.
Wakefield, G. E.	Assistant Commissioner, 1st grade, Punjab.
Walch, G. T.	Executive Engineer, 3rd grade, P. W. D., Madras.
Walker, F. B.	Executive Engineer, 3rd grade, P. W. D.
Walker, J. P. H.	Superintending Engineer, 2nd grade, P. W. D.
Wallis, B. G.,	Assistant Engineer, 2nd grade, P. W. D.
Wallis, E. F.	Assistant Superintendent, Telegraph Department.
Warburton, J. P.	Superintendent of Police, 4th grade, Punjab.
Ward, W.	Superintendent of Police, 3rd grade, Punjab.
Warden, F., Captain	Extra Assistant Master Attendant, Calcutta, and Agent for Government Consignments and Transports.
Warden, H. W.	Assistant Engineer, 2nd grade, P. W. D.
Warder, R.	Assistant Engineer, 3rd grade, P. W. D.
Watson, J. L.	Executive Engineer, 2nd grade, P. W. D.
Wells, E. G.	Commander in the Bengal Marine.
Wells, W.	Assistant to the Accountant General, N.-W. P.
Wheeler, Talboys	Secretary to Chief Commissioner, British Burmah.
White, H. F.	Executive Engineer, 2nd grade, P. W. D.
White, P. J.	Assistant Commissioner, 1st grade, N.-W. P.
Whitten, A. J.	Assistant Controller of Military Accounts, Bengal.
Whitten, R. J.	Collector, 3rd grade, Inland Customs
Wickes, T. H.	Executive Engineer, 2nd grade, P. W. D.
Wilkinson, Major A. E.	Assistant Commissioner, 1st grade, Oudh.
Williams, J. W.	Superintendent of Police, 3rd grade, N.-W. P.
Williamson, J. F.	Assistant Engineer, 1st grade, P. W. D.
Williamson, W.	Assistant Superintendent, Telegraph Department.
Willmot, R.	Medical charge of Rajpootana State Railway.
Wills, C. J.	Medical Officer, Persian Telegraph Department.
Willson, J., *A. B.*	Assistant, 3rd grade, Geological Survey.
Willson, T. H.	Executive Engineer, 2nd grade, P. W. D.
Willson, W. G., *M. A.*	Professor in the Presidency College, Bengal.
Willson, W. L.	Assistant, 3rd grade, Geological Survey.
Wilson, A. G.	Assistant Commissioner, 1st grade, Bengal.
Wilson, J. H.	Executive Engineer, 2nd grade, P W. D.
Wiseman, W.	Assistant Engineer, 1st grade, P. W. D.
Wood, B.	Deputy Commissioner, 1st grade, Bengal.
Wood, E. S.	Conservator of Forests, 4th class.
Wood, O.	Assistant Commissioner, 1st grade, and Settlement Officer, Punjab.
Wood, W. C	Assistant Commissioner, 1st grade, Oudh.
Woodford, C. T. O.	Police Surgeon and Professor of Medical Jurisprudence in the Medical College, Calcutta.
Woodhouse, R. W.	Executive Engineer, 1st grade, P. W. D.
Wright, F. W.	Superintendent of Police, 2nd grade, Berars.
Wright, W. C.	Executive Engineer, 4th grade, P. W. D.
Wright, W. H.	Principal in the Bareilly College, N.-W. P.
Wynne, A. B., *F. G. S.*	Assistant, 2nd grade, Geological Survey.
Y.	
Yeats, C. L.	Assistant Secretary to Government, P. W. D., Bombay.
Young, R. J.	Superintendent of Police, 5th grade, N.-W. P.
Yule, G. W. V.	Assistant Engineer, 2nd grade, P. W. D.

APPENDIX A.

FORMS FOR LAST-PAY CERTIFICATE.

In filling up these Forms:—

(1.) Except in the case of Chaplains, allowances should be stated in rupees a month, and not in pounds a year; and, in entering "the rate of absentee allowance," it should be stated, in the first place, without reference to the maximum or minimum applicable, and, then, if a maximum or minimum applies, or if the allowance is such that a future change in the official rate of exchange may render a maximum or minimum applicable, the words should be added "subject to a maximum (or minimum) of, &c."

(2.) The deductions to which the allowances of a Covenanted Civil Servant are subject on account of annuity while he is on leave should invariably be stated in his last-pay certificate. (*See Section* 3 *of Supplement A. to the Civil Pension Code.*)

(3.) In Forms A, B, C, and D, the Presidency to which an officer belongs should be stated in the title, and the Presidency or Province in which he is employed should be stated under the first heading.

(4.) In line 10, in Forms A to C and in line 11 in Form D, the Section of Supplement E to the Civil Leave Code, or of the Military Furlough Regulations under which the advance is made, should be mentioned. Similarly, the words *under Supplement E to the Civil Leave Code,* or *under the Military Furlough Regulations,* should be inserted between the words "that" and "you will grant" on the reverse of Forms C and D.

(5.) In Forms A, B, C, and D, it must be shown whether an officer is entitled to the full amount of furlough permitted by the Rules.

(6.) In the heading "sources from which, &c.," the term "Indian Revenues" should be used in all certificates intended to be sent to England, as the term "Imperial Revenues" has there a different signification. If the allowance is not chargeable finally to the Government of India, the Local Administration or Fund from which it is recoverable must be expressly stated.

(7.) A copy of Section 37, Rule 3, and Section 38, Rule 11, should be given to an officer going on leave, and a copy of Section 35, Rule 3, and Section 37, Rule 1, to an officer going on leave to Europe. A copy of Section 37, Rule 4, should also be given to an officer proceeding on furlough or special leave.

(8.) The certificates of officers proceeding on leave to Europe shall be prepared—

1st, for officers in the employ of the Military Department—in black ink;

2nd, for officers in the employ of the Public Works Department—in blue ink;

3rd, for officers in the employ of the Civil Department—in red ink;—

and it should be distinctly stated in the certificates whether the absentee allowance is chargeable to the Civil, the Military or the Public Works Department.

[NOTE.—The object of the certificates being prepared in different kinds of ink is to enable the Home authorities to ascertain at once the Department to which the absentee allowance of an officer is to be charged]

(9.) Whenever a corrected Last-pay certificate, whether original or duplicate, is furnished, should it invariably be marked "Amended Certificate."

FORM A.

LAST-PAY CERTIFICATE OF (*title and name*) OF THE (*corps or service*) PROCEEDING ON (*nature and period of leave*) TO (*place*).

1. Government under which employed ... ... 1.
2. Substantive appointment ... . 2.
3. Acting appointment, if any ... ... 3.
4. Date of beginning and ending of any leave already taken, the nature of such leave, and the Rule under which it was taken ... ... 4.
5. Section and Clause of the Civil Leave Code, or of any of its Supplements, under which the leave is granted ... ... 5.

NOTE.—*Distinguish furlough granted, under Section 12 on medical certificate, from furlough so granted without medical certificate.*

6. Period of leave ... ... 6.
7. Date of commencement of leave ... ... 7.
8. Monthly rate of absentee allowance and place of payment ... ... 8.
9. Date from which first payment is to be made ... 9.
10. Amount, if any, paid in advance ... ... 10.
11. Source from which absentee allowance is payable ... 11.
12. Period for, and terms on, which leave may be extended or commuted ... ... 12.

(NOTE.—When the leave cannot be extended or commuted, the fact should be stated. *In the case of an officer not being a Military Officer in Civil Employ, note whether he is entitled to the full amount of furlough permitted by the Rules.*)*

(*Place*) *the* (*date*). (SIGNATURE),

Accountant General.

NOTE.—In the case of officers on other than privilege leave embarking for Europe at Calcutta, the entry in the 7th and 9th spaces should be—"The date of the Pilot quitting the vessel as certified below;" and the certificate below should be in the following form:—

"This is to certify that (*title and name*) is a passenger on board the (*name of vessel*) proceeding to (*destination*), and left by me at sea this day."

(SIGNATURE),

(*Place*) *the* (*date*). *Pilot.*

* *Extract from a Despatch from Her Majesty's Secretary of State for India, No.* 386, *dated* 16*th July* 1874.

2. The leave and pay certificate furnished to Mr. A. states that the furlough for 15 months originally granted him may be extended to two years on the same allowance; but it does not state whether, if Mr. A. should be unable to return to India at the expiration of that period, he would be entitled to the third year's furlough on medical certificate, with subsistence allowance admissible under the rules.

3. I request that you will issue instructions that in all similar cases it may be clearly shown in the leave and pay certificates whether the officers are entitled to the full amount of furlough permitted by the rules.

FORM B.

(Obverse.)

LVSL-PAY CERTIFICATE OF (*title and name*) OF THE (*corps or service*) PROCEEDING ON (*nature of leave*) TO EUROPE.

1. Government under which employed ... ... 1.
2. Substantive appointment ... ... 2.
3. Acting appointment, if any... ... ... 3.
4. Date of beginning and ending of any leave already taken, the nature of such leave, and the Rule under which it was taken ... ... 4.
5. Section and Clause of the Civil Leave Code, or of any of its Supplements, under which the leave is granted ... ... 5.

NOTE.—*Distinguish furlough granted, under Section* 12 *on medical certificate, from furlough so granted without medical certificate.*

6. Period of leave ... ... 6.
7. Date of commencement of leave ... ... 7.
8. Monthly rate of absentee allowance and place of payment ... ... 8.
9. Date from which first payment is to be made ... 9.
10. Amount, if any, paid in advance ... ... 10.
11. Source from which absentee allowance is payable... 11.
12. Period for, and terms on, which leave may be extended or commuted ... ... 12.

(NOTE.—When the leave cannot be extended or commuted, the fact should be stated. *In the case of an officer not being a Military Officer in Civil Employ, note whether he is entitled to the full amount of furlough permitted by the Rules.*)*

(SIGNATURE),
(*Place*) *the* (*date*). *Accountant General.*

Certified that the above-named officer appeared before me on this date, that he stated his intention of embarking for Europe on the (*name of vessel*) which leaves this port on the (*date*), that he drew an (or no) advance of salary, and that the 7th, 9th, and 10th spaces in the above certificate have been filled up by me accordingly.

(SIGNATURE),
(*Place*) *the* (*date*). *Accountant General or Collector.*

(Reverse.)

FROM

THE ACCOUNTANT GENERAL,
(*Place*),

To

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF
(*Name of port of embarkation*).
Dated (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of absentee*) produces this letter, you will pay him at the rate of———a month from

* See foot-note on page 161.

the (*date of departure from Accountant General's Station*) to the day not later than the (*date of expiry of subsidiary or preparatory leave*) preceding his departure from (*name of port of embarkation*), that you will grant him an advance of———if required, and will fill up the certificates on the reverse accordingly. The date to be shown in the 7th and 9th spaces of the Last-Pay Certificate is that of (*title and name*)'s departure from (*name of port of embarkation*).

I have, &c.,

(*Place*) *the* (*date*).

(SIGNATURE),
Accountant General,
(*place*).

FORM C.

(Obverse.)

LAST-PAY CERTIFICATE, &c. (*as in form B*).

(Reverse.)

FROM

The ACCOUNTANT GENERAL,
(*Name of absentee's Presidency*),

To

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF
(*Name of port of embarkation*),
Dated (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of absentee*) produces this letter, you will pay him at the rate of———a month, less the deductions shown in the margin, from the date up to which he last drew salary from the———treasury to the date on which he may make over charge of the office of———as shown below, and at the rate of——— a month for the period not exceeding (*maximum of subsidiary or preparatory leave*) from the date on which he may make over charge of that office to the day preceding his departure from (*name of port of embarkation*), that you will grant him an advance of———if required, and fill up accordingly the certificates on the reverse. The date to be shown in the 7th and 9th spaces of the last-pay certificate is that of (*title and name of absentee's*) departure from (*name of port of embarkation*).

RS. A. P.

I have, &c.,

(SIGNATURE),
Accountant General.

Appendix A.—Form D.

(*Title and name of absentee*) received his salary from the——treasury at the rate of——, less the deductions shown in the margin up to the——, and to no later date. He made over charge of the office of——, on the fore (*or* after) noon of the——

(*Place*) *the* (*date*). *Collector of*——

FORM D.

(Obverse.)

LAST-PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature of leave*), TO EUROPE.

1. Government under which employed ... ... 1.
2. Substantive appointment ... ... 2.
3. Acting appointment, if any ... .. 3.
4. Date of beginning and ending of any leave already taken, the nature of such leave, and the Rule under which it was taken ... ... 4.
5. Section and clause of the Civil Leave Code, or of any of its supplements, under which the leave is granted. ... .. 5.

NOTE.—*Distinguish furlough granted, under Section* 12 *on medical certificate, from furlough so granted without medical certificate.*

6. Period of leave ... ... 6.
7. Date of commencement of leave ... ... 7.
8. Monthly rate of absentee allowance ... ... 8.
9. Place of payment .. .. 9.
10. Date from which first payment is to be made ... 10.
11. Amount, if any, paid in advance ... ... 11.
12. Source from which absentee allowance is payable 12.
13. Period for, and terms on, which leave may be extended or commuted ... ... 13.

(NOTE.—When the leave cannot be extended or commuted, the fact should be stated. *In the case of an officer not being a Military Officer in Civil Employ, note whether he is entitled to the full amount of the furlough permitted by the Rules.*)*

NOTE.—(*Title and name*)'s pay and acting allowance for the three years preceding (or for the period from the——to) this date, exclusive of periods of absence on other than privilege leave, were—

Rs.	a month from the (*date*) to the (*date*) ...	0	0	0
Rs.	a month from the (*date*) to the (*date*) ...	0	0	0
	Total ...	0	0	0

The rate of absentee allowance admissible to him is half his monthly average pay and acting allowance for the three years preceding (or for the period from the——to) the date on which he may make over charge

* See foot-note on page 161.

of his office, exclusive of periods of absence on other than privilege leave, provided that the allowance does not exceed ———* or fall short of———.

* These figures to be entered in accordance with the rates of the service to which the officer belongs.

(SIGNATURE),
Accountant General.

(*Place*) *the* (*date*).

Certified that the above-named officer appeared before me on this date; that he stated his intention of embarking for Europe on the (*name of vessel*) which leaves this port on the (*date*); that he drew an (or no) advance of salary; and that the 7th, 10th, and 11th spaces in the above certificate have been filled up by me accordingly.

(SIGNATURE),
Accountant General or Collector.

(*Place*) *the* (*date*).

(Reverse.)

FROM

THE ACCOUNTANT GENERAL,
(*Name of absentee's Presidency*),

To

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF
(*Name of port of embarkation*),
Dated (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of absentee*) produces this letter, you will pay him at the rate of———a month, less the deduction shewn in the margin, from the date up to which he last drew salary from the ——— treasury to the date on which he may make over charge of the office of ——— as shewn below, and at the rate of half his monthly average pay and acting allowance as shewn below for the period not exceeding (*maximum of subsidiary or preparatory leave*) from the date on which he may make over charge of that office to the day preceding his departure from (*name of port of embarkation*); that you will grant him an advance of ———, if required, and fill up accordingly the certificates on the reverse. The date to be shewn in the 7th and 10th spaces of the Last-Pay Certificate is that of (*title and name of absentee*)'s departure from (*name of port of embarkation*).

Rs. A. P.
———
———

I have, &c.,
(SIGNATURE.)

(*Title and name of absentee*) received his salary from the ——— treasury, at the rate of ———, less the deduction shewn in the margin up to the ——— and to no later date. He made over charge of the office of ——— on the fore (*or* after) noon of the ———. His average monthly pay and acting allowance for the three years preceding (or for the period from the ——— to) the date on which he made over charge of his office is Rs. ———, and the 8th space in the certificate on the face of this Form has been filled up accordingly.

Collector or
Accountant General.

(*Place*) *the* (*date*).

FORMS E, F, G, H, K, L.

These Forms are not reprinted; they will be found in the *Gazette of India*, as follows:

Form	E is the same as Form			C	Printed with Resolution No. 409, dated 7th May 1869, in *Gazette of India*, 15th May 1869, pages 959 and 960.
"	F	"	"	D	
"	G	"	"	F	
"	H	"	"	G	
"	K	"	"	B	Printed with Resolution No. 3904, dated 11th October 1869, in *Gazette of India*, 23rd October 1869, page 406.
"	L	"	"	C	

FORM M.

(Obverse.)

No.

Last-Pay Certificate of of the proceeding to to join the appointment of to officiate as on duty

He has drawn pay as at the rate of Rs. a month, and acting allowance as at the rate of Rs. a month, less the deductions shewn below up to the He made over charge of the office of on the noon of the of

No recoveries (*or* the recoveries noted on the reverse) are to be made from the pay of this officer.

Deductions.

Rs. A. P.

Acctt. or Depy. Acct. Genl.

(Reverse.)

Details of recoveries.

Nature of recovery_____

Amount Rs._____

How to be recovered (in one sum or in what instalments)_____

APPENDIX B.

Rules on the subject of the mode of payment of leave allowances to members of the Public Works Department during absence on leave in India :—

I.—The allowances of an officer or subordinate of the Public Works Department who is absent on leave in India, and who is entitled to draw allowances during such absence, should be included monthly, as they become due, in the salary bill of the Division or office to which he is attached, and submitted for audit to the Controller. The allowances, if admissible, should be audited by the latter officer provisionally, subject to receiving an assurance that the officer is alive.

II.—If the absentee is attached to a Division, the Executive Engineer of this Division, on receipt of the audited bill, should request the Executive Engineer at the Station at or nearest which the absentee resides during his leave, to pay the allowances to the absentee on his appearing in person to receive payment, or on his furnishing a life-certificate by a Covenanted Civil Servant, a Magistrate, a Notary, a Banker, a Military officer, a Chaplain, an officer of the Engineer Establishment of the Public Works Department, or any other officer of the Department holding an analogous position. If the amount exceeds Rs. 500, and has to be paid in another Province or Branch of the Department, the requisition for payment should be sanctioned by the Superintending Engineer of the Circle, in accordance with the orders contained in Public Works Department Circular No. 63, dated 21st December 1872.

III.—The Executive Engineer who complies with the requisition should send a transfer advice of the payment to the Controller of his own Province, for transmission to the Controller of the Province to which the absentee belongs, stating in the advice that the absentee appeared in person for payment, or attaching a life-certificate. If the absentee and the disbursing officer belong to the same Province, the latter should send advice of payment to the Executive Engineer's Division, and forward the life-certificate, or a statement that the absentee appeared in person for payment to the Controller.

IV.—If the absentee is attached to an office, the head of the office should request the Executive Engineer, by whom the bills of the office are paid, to arrange for the payment of the absentee's leave allowances, and the procedure indicated in the preceding Rules will then be gone through.—*Circular of the Public Works Department, Government of India, No.* 58, *dated* 16*th October* 1873.

[NOTE.—If a life-certificate cannot be furnished, a bond executed by a recognized Bank or agency firm, may be accepted.]—*Circular of the Public Works Department, Government of India, No.* 32, *dated* 2*nd June* 1874.

APPENDIX C.

1.

MILITARY FURLOUGH RULES OF 1868.

GENERAL ORDER, MILITARY DEPARTMENT, No. 171 OF 1874, DATED THE 25TH FEBRUARY.

The Furlough Rules of 1868, as revised by various subsequent decisions, are republished for general information; and in future this General Order shall ordinarily be referred to in any matter depending on those rules. The rules previously in force will be designated, as heretofore, the Furlough Rules of 1796 and 1854.

The following G. G. O.'s are cancelled prospectively from the 1st January 1875:—

G. G. O. No. 630 of 1869 (1st clause).
G. G. O. No. 627 of 1870.
G. G O. No. 613 of 1871.

NOTE.—* The advantages granted by the Furlough Rules of 1854 to officers who obtain furlough on medical certificate are not applicable to any officers of the British Service whose Regiments, Battalions, Brigades or Batteries arrived in India after the date of the Passage Warrant of 1865, and neither those rules nor the Furlough Rules of 1868 are, *as respects furlough on private affairs*, applicable to British Officers serving with their Regiments or employed with a five years' tenure in staff situations (see para. 4).

But officers of the late Indian Army who hold permanent appointments under the Government of India, and who have elected to abide by the Furlough Rules of 1854, in preference to those of 1868, of course retain their election.

Rules apply to officers of Staff Corps and Indian Army.

2. These rules are applicable to all officers who, on the 1st July 1868, belonged to the several Indian Staff Corps, or to the Indian Army, and who have elected, or may elect, to adopt them: officers of the British Army who entered the Staff Corps after that date are of course subject to them.

Also to officers of R. A. and R. E, late of Indian Army, when holding permanent non-regimental appointments.

In regard to the periods of leave of absence during which appointments may be held, and in regard to the increased allowances, they are also applicable to officers of the Royal Artillery and Royal Engineers, late of the Indian Army, holding permanent staff appointments not of a regimental nature, and to such officers of the Engineers of the Imperial Establishment as may be permanently employed on the staff in India.

But should an officer of the British Service, holding such permanent staff appointment, be allowed to proceed on leave under circumstances which, by these rules, would involve loss of appointment, he cannot take leave under them, but simply as a British Officer holding no appointment.

* Added by G. G. O. No. 585, dated 5th June 1874, paragraph 1.

3. These rules are not applicable to officers on the Invalid or Invalid Pension Establishment, even if previous to their transfer they should have elected them, being intended solely for officers on the effective list.

Do not apply to Invalid Officers.

4. They are not applicable to Regimental Officers generally of the British Service, whether formerly belonging to the Indian Army and now in the Royal Artillery, Royal Engineers, and new Line Regiments, or on the old Line Establishment: nor are they applicable to officers of the British Army holding staff appointments the tenure of which is limited to five years, except in the sense in which the rules of 1854 were made applicable, *viz.*, as regulating the amount of absentee allowance to be granted to such officers holding staff appointments when they are absent on furlough on medical certificate.

Nor to Regimental Officers of the British Service, even though formerly of Indian Army.

Only partially to officers of the British Service holding 5-year appointments.

Officers of the British Medical Staff are not entitled to this advantage.

Do not apply to officers of the British Medical Staff.

5. They are applicable to officers of the Royal Engineers on the Imperial Establishment, who are employed in the Public Works Department, or who are receiving a staff salary as on the fixed establishment of the Sappers and Miners; these will count service towards furlough from the date of their arrival in India.

Apply to R. E. Officers of the Imperial list holding permanent non-regimental staff appointments.

* These officers, therefore, and other Royal Engineer Officers of the Imperial list on permanent staff employ under the Government, will be entitled to a furlough of two years after eight years' service in India, or at the expiration of one year from the date of their return (for a second tour of service in India) on the completion of the prescribed home service after the first period of seven years' service in India.

* Such officers will be allowed an advance of passage money, or free passage in a troop-ship if proceeding in the trooping season, the advance to be refunded on receipt of the balance of furlough pay. The English rate of pay of their rank only will be passed to them during their leave; but at its conclusion, on their presenting an order for them to return to India, the difference between that rate and furlough pay, less the passage money they have received, will be paid to them in England conditionally on its refund if the order to return to India is not carried out.

Pay allowed them during furlough.

* Those Royal Engineer Officers who arrived in India before the 1st July 1872, are, however, not subject to the provisions of the

* Original rule modified by G. G. O. No. 585, dated 5th June 1874, paragraph 2.

preceding clause as long as they do not exchange Indian for Home service, but draw furlough pay during furlough as others.

Rules apply to R. E. Officers of the Imperial list on the *fixed staff establishments* of Sappers and Miners.

Royal Engineer Officers on the Imperial Establishment, who are merely doing duty with, or attached to, the Sappers and Miners, but not on the fixed establishment and drawing staff salary, will, in regard to these rules, be on the footing of Regimental Officers of the British Service—see preceding paragraph. If, however, they afterwards accept staff employ, they also will count their service for furlough from date of arrival in India.

A British Officer vacating appointment becomes, on re-employment, again eligible to these rules.

* An officer of the British Service holding permanent staff employ under the Government, who may proceed on furlough under circumstances which involve the forfeiture of his appointment, must obtain the furlough as a British Regimental Officer, and it will reckon as a portion of the aggregate eight years of furlough on pay to which an officer is restricted during his service by Rule XVI. But, on again becoming permanently employed, he resumes the right of obtaining furlough under these rules.

Previous service of officers of the British Service who join Staff Corps, how reckoned towards furlough.

6. Officers of British Regiments who may join the Staff Corps, can count as service towards furlough all their military service in India, provided that half of it (in no case less than four years) shall have been passed in the Staff Corps. But any leave to England they may have taken during service so counted will be reckoned as furlough already taken. Officers of the British Service who formerly belonged to the Indian Armies are exempted from the above proviso.

Rules apply to Warrant Officers with Honorary Commissions.

Their pay.

Warrant Officers without Commissions can take furlough on medical certificate only, under these rules.

7. These rules apply also to all Warrant Officers holding Veteran or Honorary Commissions, who may elect them; the period of service qualifying for fulough being calculated from the date of the attainment of a Commission. They will receive during furlough half their total receipts, calculated as laid down in Rule V, but without any reference to a minimum or maximum rate. Warrant Officers not holding Commissions can obtain furlough under these rules only on medical certificate.

Such furlough may be for two years with retention of appointment and half of the aggregate allowances; but any extension of such leave (which will not be granted for more than one year in excess of the two years), or any leave taken within less than three years from the date of last return to duty, will be on "English furlough pay." [See Note to para. 9.]

* Added by G. G O. No. 585, dated 5th June 1874, paragraph 3.

Warrant Officers who were so before 19th February 1869, to elect on first applying for leave.

8. Every Warrant Officer who attained warrant rank before the 19th February 1869, and who has not made his election, will be required, on the first occasion of his applying for leave out of India, to state whether he desires to take the leave under these rules, or under those previously in force applicable to Warrant Officers, *viz.*, G. G. O. Nos. 518 and 531 of 1854, G. G. O. No. 1559 of 1857, and subsequent orders. That election will be considered final.

Those who became Warrant Officers after 19th February 1869 are subject to these rules, and cannot elect any of the previous rules.

Leave on medical certificate on Indian pay and allowances to places eastward of the Cape, as allowed to Commissioned Officers under the Furlough Rules of 1796, is not in any case admissible to a Warrant Officer.

Rules apply to Medical as to other Warrant Officers.

These rules respecting Warrant Officers apply to Honorary Assistant Surgeons and Warrant Officers in the Medical Department.

Meaning of "Furlough Pay" and "English Furlough Pay."

9. The term "Furlough Pay" having now a changed and twofold signification, in all future orders and references "Furlough Pay" will be understood as the half Indian salary within the prescribed limits specified in paragraph V of these Rules, converted at the rate of exchange fixed by the Secretary of State for the official year,* whilst "English Furlough Pay" will represent the rates heretofore allowed to the several grades as English pay under the Rules of 1796 and 1854.

"English Furlough Pay" of Warrant Officers.

NOTE.—Where in these rules English furlough pay is mentioned as that to which an officer is to be restricted, the rates laid down in paragraph 11 of G. G. O. No. 69, dated 22nd January 1868, and (for Medical Warrant Officers) paragraph 22 of G. G. O. No. 550 of 1868, are to be understood as intended in the cases of Warrant officers.

RULES.

Assimilation of allowances on furlough on private affairs and medical certificate.

I.—The distinction, with respect to allowances, which has been hitherto drawn between furlough on private affairs and sick leave, is abolished, both kinds of leave being included under the general term *Furlough;* provision, however, being made for the obtainment of furlough under medical certificate without all the restrictions applicable to furlough when taken without medical certificate.

* Under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified that the furlough pay of all officers who elected the furlough rules of 1868 before the 1st July 1871, will for the future be issued at the rate of exchange of 2 shillings the rupee.

3. This order does apply to officers who were admitted to the Staff Corps on and after the 1st July 1868.—*G. G. O. by the Military Department, No.* 991, *dated 22nd September* 1876.

II.—Leave taken under the rules now prescribed will not involve forfeiture of appointment, except in the cases herein specially provided for.

Certain officers retain appointments during *all* leave duly granted.

Officers of the Staff Corps and local Indian Service, and officers on the General List, can retain their appointments during *all* leave of absence granted by competent authority.* But their pay during such absence will be the same as they would obtain under these rules had this exemption from forfeiture of appointment not been granted.

Absence from India for more than 5 years bars return to duty, as formerly.

III.—The rules now prescribed do not affect the provisions of Act XXXIII of George III, Chapter 52, Section 70;† but an absentee cannot retain his appointment and draw absentee allowances, except under the rules now prescribed. Nor do they affect the regulations by which General Officers Commanding Divisions and Brigades can only obtain limited periods of leave without forfeiting their commands.

IV.—Leave of absence will in future be of three kinds, *viz.*,—

I.—Furlough in or out of India.
II.—General leave on private affairs, or sick certificate in India, or short leave to sea.
III.—Privilege leave.

[Doubts having been expressed on the point, the Right Hon'ble the Governor General in Council is pleased to notify, under instructions from Her Majesty's Government and in continuation of G. G. O. No. 1160, dated 11th November

* The following despatch from the Secretary of State was published under Military Department's General Order No. 1174, dated 24th November 1875 :—

No, 249, *Military, dated* 14*th October* 1875.

Major-General * * of the Royal (Bengal) Engineers, now on furlough for two years, has raised the question whether, in the event of his obtaining an extension of such furlough, he will be entitled to retain his appointment in the Public Works Department, and I have to inform you that, with reference to this application, I have decided that the rule under which officers of the Staff Corps and local Service retain their appointments during all authorised leave shall be made applicable to all military and medical officers taking leave under the Rules of 1868.

† The section referred to is quoted below :—

Section 70.—"And be it further enacted that no person who shall have held any civil or military station whatever in *India*, in the service of the said United Company, being under the rank or degree of a Member of Council or Commander-in-Chief of the Forces, and who, having departed from *India* by leave of the Governor General in Council, shall not return to *India* within the space of five years next after such departure, shall be entitled to any rank or restoration of office, or be capable of again serving in *India*, either in the *European* or Native Corps of Troops, or in the civil line of the Company's Service; unless, in the case of any Civil Servant of the Company, it shall be proved to the satisfaction of the Court of Directors that such absence was occasioned by sickness or infirmity, or unless such person be permitted to return with his rank to *India* by a vote or resolution passed by way of ballot by three parts in four of the proprietors assembled in General Court, specially convened for that purpose, whereof eight days' previous notice of the time and purpose of such meeting shall be given in *The London Gazette*; or unless, in the case of any Military Officer, it shall be proved to the satisfaction of the said Court of Directors and the Board of Commissioners for the affairs of *India* that such absence was occasioned by sickness or infirmity, or some inevitable accident."

1873, that neither the Indian Furlough Rules of 1868 nor those of 1851, are, *as respects leave on private affairs*, applicable to British Officers serving with their Regiments or employed with a five years' tenure in staff situations. Any leave on this account, which may be granted to them by the authority under whom they may be serving, must be taken under the rules of the British service, and therefore, whilst borne on the Indian Establishment, they will receive the British pay of their rank and that only.

2. This ruling does not apply to Officers of Royal Engineers permanently employed in Departmental service, or to other British Officers who may be permanently employed under the Government of India; these are eligible for all the advantages of the Indian Furlough Rules so long as they retain their appointments.—*G. G. O. of the Military Department, No. 497, dated 13th May 1874.*]

CHAPTER I.

FURLOUGH.

Furlough pay how reckoned.

V.—An officer drawing staff pay, in addition to pay of rank, proceeding on furlough, will be allowed pay at the rate of 50 per cent. of the salary of his substantive office.

But an officer in civil employ and drawing consolidated salary, will be allowed 50 per cent. of the average salary drawn by him during the three years prior to his proceeding on furlough, or during his actual service in India, should that be less than three years: and the time spent and the allowances drawn during any leave "other than privilege leave" will be omitted in the calculation of average salary.

No absentee shall in either case draw more than £1,000, or less than £250 per annum.

Meaning of term "Salary."

The term "salary" will signify the total amount drawn by an officer, whether as consolidated pay, or staff allowances in addition to pay, but will not include any extra or special allowances. But in the case of a Military Officer in civil employ, his acting allowances shall be taken into account as a part of his salary in calculating his furlough pay.

Pay of officers transferred to other appointments during furlough.

§ 2. An officer absent on furlough, who may be transferred to another office during his absence, shall be entitled, for the entire period of his furlough, to furlough pay at the rate sanctioned to him when leaving India, whatever the salary of the office to which he may be transferred may be. This furlough pay will be continued to an officer in military employ after his return to India, and until he joins his appointment, provided it is not less than the military pay, or pay and allowances, of his rank.

Pay when the appointment lapses or is vacated during furlough.

But an officer whose term of office shall lapse, who shall vacate his appointment, or whose appointment shall be abolished during his furlough, will revert at once to the furlough pay which he would draw in virtue of his rank, as laid down

below, in § 4. Any case of sudden abolition of appointment may, however, be specially considered in the department of the Government under which the officer may have been employed. An officer will also be entitled to the benefit of his promotion to a higher Staff Corps or regimental rank, whilst on furlough, subject to the maximum limit.

Pay of officers promoted during furlough.

§ 3. Officers holding regimental medical charges will be allowed to retain such charges during the authorized periods of furlough as if they were medical staff appointments. And the difference between the unemployed* grade pay of the officer holding the substantive charge and the consolidated salary of the charge will be considered the staff salary divisible between the absentee and the officer officiating for him.

Regimental medical charges retained during furlough.

§ 4. Officers not in staff employ will receive half the Indian pay of their rank, provided that an officer entitled to furlough shall in no case receive less than the above minimum of £250 per annum.

The staff salary how divided.

Minimum furlough pay.

NOTE.—Officers who may be entitled to income allowance from the Military Fund during absence in Europe, will draw their half salary or minimum absentee allowance under the foregoing clause, subject to a deduction equivalent to the amount of such income allowance.

VI.—All grants of furlough on private affairs are subject to the exigencies of the public service,—of which exigency the Government is to be exclusively the judge,—and to any regulations that may be found necessary for limiting the number of absentees.

All furlough on private affairs subject to the exigencies of the service.

NOTE.—It is therefore within the competency of local Governments and of the Commander-in-Chief to decline to forward the application of any officer whose absence would, in their opinion, be detrimental to the interest of the public service, until such time as arrangements can be made for removing the difficulty; and it is the duty of every head of a department to decline to forward any application for furlough, whenever the services of the officer cannot be spared without risking the efficiency of the department, any doubtful case being referred for the orders of Government.

Applications of officers who cannot be spared need not be forwarded.

VII.—The maximum amount of furlough on private affairs to be taken at any one time, carrying pay and retention of appointment, will be two years: any extension of such furlough will be without pay, unless it is on medical certificate, see Rule XIII. (But see Notes (3) and (4), Rule IX.) And no extension on private affairs beyond two years will be granted, though without pay, except upon satisfactory evidence of very urgent necessity.

Furlough on private affairs limited to 2 years at one time.

Extensions of such furlough.

* G. G. O. No. 1060 of 23rd December 1864, para. 29.
G. G. O. No. 370 of 4th April 1867, para. 9.

Three years' service to intervene between two furloughs.

VIII.—A period of at least three years' service after return from last furlough, except furlough for a period not exceeding six months under Rule XI (and excepting also, in the case of an officer in civil employ, *ordinary furlough not exceeding three months*), must be completed before furlough can again be taken unless obtained under medical certificate. (See Rules XIII and XIV, and Note 3 of Rule IX.)

Exception in cases of officers ordered out on Field Service.

But an officer who may be *ordered* to return to duty before the completion of his furlough for the purpose of proceeding on Field Service, may be allowed to take the balance of such furlough at any time.

NOTE.—An officer in civil employ cannot reckon in this interval of three years any period of absence from actual duty, excepting those spent on privilege leave.

Periods of service qualifying for furlough.

IX.—An officer will be eligible for two years' furlough on the completion of eight years' actual service in India (see para. 6 of this order); for a third year after a further period of six years' actual service, and for a fourth and fifth year after similar intervals of six years, and so on up to the maximum prescribed in Rule XVI. The grant of furlough to an officer eligible for it will be subject only to the conditions specified in Rules VI and VII. But see notes to this Rule.

Furlough *without pay* not reckoned as "furlough taken."

§ 2. No furlough, or extension of furlough, if *without pay*, will reckon as "furlough already taken" in calculating the balance at an officer's credit, as shown in Rule X. But furlough on private affairs under the Rules of 1796 will of course so reckon.

How far previous furlough on medical certificate bars furlough on private affairs.

§ 3. The fact of having taken furlough on medical certificate will not affect the grant of these furloughs within the condition laid down in Rules VIII and XVI.

Service *on duty* in England how reckoned.

§ 4. If an officer appointed to any *duty* in England draws his Indian allowances, with or without any portion of his staff salary, he can count the period of such employment as service towards furlough; but if he is appointed to an office in England to which a fixed consolidated salary is attached, he cannot reckon the time of such employment as service towards furlough.

Furlough on medical certificate when on furlough pay.

NOTE (1.)—But an officer of less than eight years' service in India may obtain furlough, not exceeding two years, on medical certificate, with furlough pay and retention of appointment, provided he has been three years in the Staff Corps, or—in the case of a Royal Engineer Officer holding a permanent staff appointment, or an officer not in the Staff Corps—has served for three years in India.

Appendix C.—Military Furlough Rules of 1868.

Furlough on medical certificate when on English furlough pay.

NOTE (2.)—If the officer has not been three years in the Staff Corps, or served three years in India, as the case may be, he will receive "English furlough pay" only, and must vacate his appointment, unless entitled to retain it under Rule II.*

This rule and the proviso in Note 1, however, are not applicable to officers of the Indian Army who entered the new Line Regiments, or Royal Artillery, and subsequently the Staff Corps.

General Officers exempted from certain rules.

NOTE (3.)—Unemployed General Officers of the Staff Corps of local service can be granted furlough without serving the intervals of three and six years, respectively, prescribed in Rules VIII and IX; and they can remain in Europe after they have exhausted the full period of furlough allowed during an officer's service by Rule XVI (eight years on the whole) on the English furlough pay of their rank.

NOTE (4.)—And a Major-General of the Staff Corps—if he has so much furlough at his credit, and proceeds to England within a year of his being promoted to that rank, or of his ceasing to be employed—can continue, after the expiration of the two years' furlough, to receive half his Indian pay until he completes the period of three years during which he would be entitled to draw his Staff Corps pay if he were in India.

Furlough may be taken by instalments.

X.—An officer eligible for furlough need not take the whole amount to which his service entitles him, but may apply for any portion thereof as an instalment; and in that case the balance will remain at his credit in any future computation of the amount of furlough for which he may be eligible.

Illustrations.

Furlough at credit how determined.

1. An officer who has served nine years in India is entitled to two years' furlough: he takes only one year, and after his return remains in India for five years. He is then eligible for two years' furlough as follows:—

Total service in India	14 years.
Furlough due on that service	3 „
Furlough already taken*	1 year.
Balance for which he is eligible	2 years.

† * See Rule IX, § 2.

* *Extract from a letter the Government of India in the Military Department to the Adjutant General in India, No.* 21, *dated* 3*rd October* 1876.

With reference to your letter No. 2795A "*Leave*," dated 24th July 1876, and previous correspondence, regarding the question of the retention by Lieutenant * * R. E., Imperial establishment, of his appointment in the Public Works Department, I am desired to state, for the information of His Excellency the Commander-in-Chief, that, in the opinion of the Government of India, the retention of the appointment by an officer situated as Lieutenant * * is, is provided for by the furlough regulations as they stand.

2. By note 2 of Rule IX of the furlough regulations of 1868, published in G. G. O. No. 171 of 1874, an officer who has not served three years in India, and proceeding on furlough on medical certificate, will receive "English furlough pay" only, and will vacate his appointment unless entitled to retain it under Rule II.

3. Rule II lays down that officers of the Staff Corps and local Indian service can retain their appointments during all leave of absence granted by competent authority. Subsequently, the Secretary of State for India, in his despatch, published under G. G. O. No. 1174 of 1875, decided that the rule under which officers of the Staff Corps and local service retain their appointment during all authorized leave, shall be made applicable to all military and medical officers taking leave under the rules of 1868.

4. The provisions of note 1 of rule IX, which you state will, under the above ruling, require modification, are not really affected by it, as they refer to leave on "furlough pay" with retention of appointment. Note 2 relates to leave on "English furlough pay" with retention on vacation of appointment. Lieutenant * * retains his appointment, but as he has not performed three years' service, he does so on "English furlough pay" only.

† Added by G. G. O, No. 305, dated 26th March 1874.

2. An officer who has served 20 years in India without taking furlough is entitled to four years' furlough. He can only take, however, two years at one time carrying pay, the balance remaining at his credit in any future computation of furlough to which he may be entitled. He can take that balance after completing three years' service from the date of his return from the first instalment.

NOTE.—An officer is said to have furlough at his credit,—even though he may not be able to obtain it owing to the number of absentees, or other cause,—when the calculation of his service, as in illustration 1 above, shews a "balance for which he is eligible."

Furlough on urgent private affairs when granted.

XI.—Furlough on urgent private affairs for six months on pay equivalent to the British Regimental pay of his rank may be granted when the officer has less than six months' furlough at his credit, or when, from other causes, *e. g.*, the number of the absentees, or his not having served three years since his last return to duty, he is not able to take it. The said period may form part of the periods of either eight or six years referred to in Rule IX, and also—except in the case of an officer in civil employ, see Rule VIII, note—of the three years which are required to intervene between two periods of furlough by Rule VIII.*

Extended beyond 6 months only on medical certificate when its advantages are lost.

This leave cannot be given in extension of furlough of any description. It cannot be extended beyond six months, unless on medical certificate and on the same pay; in which case, the officer will be deemed to have vacated his appointment, unless entitled to retain it under Rule II; the whole period will be reckoned in the maximum amount of furlough (8 years) allowed by Rule XVI, and no portion of it can form any part of the periods referred to in Rules VIII and IX.

NOTE.—Ill heath is not considered as warranting furlough under this rule to any officer who under the provisions of these rules can obtain furlough on medical certificate without forfeiting his appointment.

Special permission needed for change of residence from England to India and *vice versâ* during furlough.

XII.—Subject to State considerations, there will be no restriction as to the places to which an officer may resort during furlough. But, if he desires to spend in England the rest of a "furlough in India," or *vice versâ*, he must obtain permission to do so from the Government of his Presidency, or from the Secretary of State for India, as the case may be; and on landing in either country, he must report his arrival accordingly to the Military Department of his own Presidency, or to the India Office, forwarding a copy of the permission granted him to change his destination. He must also communicate his address. An officer who, on his return to India, reports his debarkation, without forwarding *at once* a copy of the permission granted him to change

Reports, &c., required.

* Original rule modified by G. G. O. No. 922, dated 31st August 1876.

his destination, or submitting an application for such permission, will be considered to have returned to his duty.

Consequences of extension of furlough on medical certificate over 2 years.

XIII.—Furlough on medical certificate is obtainable as indicated in Notes (1) and (2) of Rule IX, and in Rule XIV. Absence on such furlough for a longer period than two years at one time will involve forfeiture of appointment. [But see exceptions in Rule II.] Furlough may, however, be extended on medical certificate up to a third year on "English furlough pay;" and an officer on furlough on private affairs, who may be obliged to obtain an extension on medical certificate, will be thenceforward entitled to the same advantages, and subject to the same disadvantages as to retention of appointment, pay, &c., as if he had originally obtained furlough on medical certificate.

If he exceeds 3 years' absence on medical certificate, the officer may have to retire or go on half pay.

In the event of an officer not being able to return to his duty after an absence of three years, it will rest with the Secretary of State for India in Council to order him to appear before a Medical Board, with a view to placing him on the retired list, if entitled to pension, or on the half-pay list.

Extension on medical certificate over 3 years to be without pay.

Should the circumstances of the case warrant a further extension of furlough, it can only be granted without pay.

Officers on medical certificate must be pronounced fit for duty before returning to India.

NOTE.—All officers, however employed, and whatever the amount of leave granted them may be, who leave India on sick certificate, are required to produce a certificate of fitness for duty before they can be allowed to return.

Consequences of furlough on medical certificate taken within 3 years of last return.

XIV.—An officer whose health may necessitate his taking furlough within three years from the date of last return from any furlough, except that taken for a period not exceeding six months under Rule XI (and excepting also, in the case of an officer on civil employ, *ordinary furlough not exceeding three months*), may obtain, under the usual medical certificate, such amount as may be duly certified to be necessary for the restoration of his health; but he will receive only "English furlough pay," and must vacate any appointment he may be holding, unless entitled to retain it under Rule II.

§ 2. If, however, he shall have served three years since the date of his last return to duty, although there may be no balance of furlough at his credit, he will be entitled, on obtaining furlough on medical certificate, to retain his appointment, and to receive "furlough pay" as laid down in Rule V, for the entire period not exceeding two years. Should the latter period be exceeded, he will come under the provisions of Rule XIII.

"Furlough at credit" bars furlough on medical certificate.

XV.—An officer entitled to furlough, or having a balance of furlough at his credit, whose health may necessitate his absence from India, must take the leave as furlough under Rule IX, but

without forfeiting any passage money to which he may be entitled under Military Fund Rules,—or, if a Subaltern, by Regulation,—when proceeding on medical certificate.

Furlough on medical certificate when extended on private affairs.

§ 2. Should the officer be declared fit for duty before the expiration of two years, he may be granted extension on private affairs up to that limit, provided that he has so much at his credit, and that if he remains he will not be in excess of the established proportion of absentees. Any extension *on private affairs* of such furlough beyond the said period of two years must be without pay.

Furlough at credit must be exhausted before furlough on medical certificate can be given.

§ 3. Any extension on medical certificate of furlough under § 1 of this rule beyond two years, or any lesser period, which may be at his credit under Rules IX and X, will be regarded, in all respects, as furlough on medical certificate (Rule XIII); and if the period of two years should not exhaust the balance of furlough at his credit under Rule X, the period or periods of extension shall be deducted from such balance till the latter is exhausted. On the aggregate of two years' leave being exceeded, the officer will come under the provisions of Rule XIII.

Total furlough with pay, &c., in an officer's service limited to 8 years

XVI.—The aggregate amount of furlough with pay and retention of appointment on private affairs and on medical certificate, that may be granted to an officer during his service, will be limited to eight years.

Furlough not reckoned in this period.

NOTE.—The following periods of leave, however, will not be reckoned in this period of eight years:—

§ 1.—Leave without pay.

§ 2.—Sick leave to Europe, or to the Colonies eastward of Cape under the Rules of 1796.

§ 3.—Leave taken under Rule XI of these Rules, provided it be not extended over the six months. If it be so extended, the whole period will reckon as part of the eight years.

§ 4.—Leave necessitated by wounds, or sickness contracted on active service, and any other leave which may be allowed by proper authority to reckon as service for pension.

§ 5.—In the case of an unemployed officer, periods of residence in England on English pay after promotion to the rank of Major General, or to the rank of Regimental Colonel in the Royal (late Indian) Artillery and Engineers, or after completion of tour of service as Inspector General or Deputy Inspector General of Hospitals, when the officer is no longer required to reside in India.

All other leave to Europe, or out of India, for periods exceeding three months (see Rule XXVII), including furlough on medical certificate under the Furlough Rules of 1854, will form part of the period of eight years.

Dates from and to which furlough is reckoned.

XVII.—If taken in India, furlough will be reckoned from the date of the absentee's quitting his station to the date of his return thereto; if taken out of India, from the date of the sailing of the vessel in which he may have embarked to the

date of his *bonâ fide* disembarkation in India for the purpose of rejoining his appointment or Regiment; the date of embarkation (or of the vessel's leaving the Sandheads if from Calcutta) and that of disembarkation also, are included in the furlough.

NOTE (1).—As an illustration of this rule, it may be observed that a Madras Officer's landing and reporting himself at Madras *en route* to Calcutta to join his appointment in Bengal or the North-Western Provinces, &c., is not disembarkation in the sense intended by this rule.

Extension to cover excess over furlough how obtained.

NOTE (2).—To enable an officer who overstays his leave to obtain an extension, he should show that he took all needful precautions to ensure his arrival in proper time, and if delayed by the departure of the vessel being deferred, he should obtain the certificate of the owner or agent that she had been *bonâ fide* advertised to sail from————on the————but that her departure had been delayed till the————. See General Order No. 52, dated 21st February 1873.

Preparatory leave.

XVIII.—Preparatory leave to embark for Europe, or elsewhere, on furlough will be granted for any period deemed necessary, not ordinarily exceeding 30 days. Leave up to the same limit, to enable him to rejoin on his return from furlough, will be granted from the date succeeding that of his disembarkation in India. This applies equally to furloughs taken under Rule XI. The authority which has power to grant preparatory leave can, on due cause being shewn, grant any necessary extension of it; but this can be done only on very sufficient reasons.

Limited ordinarily to 30 days.

G. G. O granting furlough has effect for 3 months only.

NOTE (1).—An officer obtaining a furlough on private affairs or medical certificate must embark within three months of the date of the General Order which notifies it, or take up the first portion of his furlough in India until he embarks; if not, the General Order will cease to have effect. The only exception to this rule that can be allowed is when the officer is prevented from embarking within the three months, owing to his detention in India by proper authority on *bonâ fide* public grounds. If, however, the officer does not within a reasonable time avail himself of the furlough given him, his subsequently being placed on duty rendering his detention necessary will not exempt him from the rule; and in every case of such detention the officer must at once report it, and he is not to embark after the expiration of three months until he has applied for and obtained from the Government of his Presidency an extension of the period.

Detention when deemed a valid excuse.

An officer serving out of his Presidency may embark from it.

NOTE (2).—Officers who may be serving in other Presidencies than their own, if they desire to embark *bonâ fide* for Europe from the latter, may obtain preparatory leave accordingly, and their furlough will reckon from the date of their embarkation at their own Presidencies.

Applications for furlough how submitted.

NOTE (3).—For full information as to the submission of applications for furlough, see G. G. O. No. 34 of 11th January 1869; G. G. O. No. 103, dated 26th January 1869; General Order by the Commander-in-Chief, No. 135, dated 11th June 1870.

NOTE (4).—The allowances of Military Officers in Civil employ during preparatory leave, and after return to India until they rejoin their appointments, will be adjusted according to Civil Rules.

Appendix C.—Military Furlough Rules of 1868.

Leave preparatory to retirement.

NOTE (5).—Leave preparatory to retirement from the service does not reckon as service towards pension.

Pay issued monthly in India, quarterly in England.

XIX.—Furlough allowances are payable monthly, if payment is taken in India; and quarterly, if payment is taken in England.

Advances of furlough pay given in India only.

XX.—Advances of furlough pay will continue to be made in India to those officers who desire it, for three months from date of embarkation. Payments in continuation will be made in England on the expiration of six months from that date. No advance is made in England to officers on their returning to duty.

Last pay certificate to show rate of furlough pay, &c.

XXI.—The last-pay certificate issued to each officer who may be granted furlough, whether on private affairs, or on medical certificate, will specify the rate of the pay and staff salary of his last substantive appointment, and the rate to which he will be entitled in Europe in virtue of Rule V.

Pay of officers acting for those on furlough.

XXII.—An officer acting in India for an absentee on furlough will be restricted, for the entire period that he may so act, to the half staff salary of the appointment in which he may be acting, in addition to the full pay of his rank and the half staff salary of his own appointment, if he possess one. *The aggregate staff salary granted to the acting officer in such cases will not be less than Rs. 100 per mensem, unless the full staff salary of the post in which he is officiating is less than that sum.

Pay of Warrant Officers acting for others on furlough.

A Warrant Officer, acting for one of a higher grade on furlough, receives half of the aggregate allowances of the absentee, added to half of the aggregate of his own allowances.

NOTE.—† The indulgence granted by § 1 of this rule is only allowed to one *directly* officiating in the place of the officer absent on furlough, not to one acting in the room of an officer who is himself acting for an absentee on furlough.

Periods of furlough, &c., counting as service towards pension.

Years.		Years.
2	in	20
3	"	25
4	"	30
5	"	35
6	"	38

XXIII.—The privilege heretofore granted to Military and Medical[a] Officers who had elected the rules of 1854, of counting the proportion of leave noted in the margin as service for pension, is retained, and is applicable to those who elect these rules, subject (in the case of officers under the Rules of 1796) to the condition laid down in § 4 of Rule XXXIV. The periods of service qualifying for pension remain unaltered.

[a] Who can also reckon 1 year and 8 months in 17 years' service.‡

* Original rule modified by G. G. O. No. 585, dated 5th June 1874, paragraph 4.

† Added by G. G. O. No. 585, dated 5th June 1874, paragraph 5

‡ Added by G. G. O. No. 305, dated 26th March 1874.

Appendix C.—Military Furlough Rules of 1868.

Periods of furlough reckoned by Warrant Officers towards pension.

§ 2. Warrant Officers obtaining that rank after the 24th August 1872, can only reckon as service towards pension the following periods of leave, whether taken in or out of India :—

15 months	in	12 years'	Departmental	Service.
20 "	"	14 "		"
24 "	"	16 "		"

Those who were promoted to warrant rank before that date are allowed to continue, if they prefer it, on the old rule, and reckon all leave in India as service, all out of India being deducted from their service for pension.

Illustration of the mode of computing service for pension in any case.

	Years.	Months.		Years.	Years.
Total service from date of arrival in India, say					30
Leave—					
In Europe, say ...	6	7			
In India ...	3	5			
	—	—	=	10	
Of which he can reckon ...				4	
Remaining to be deducted ...				6	6
Service counting for pension					24

Furlough due how ascertained.

XXIV.—In computing the furlough on private affairs to which an officer who has already enjoyed some portion of such furlough will be entitled under these rules, it will be necessary to deduct the total amount of the furlough on private affairs of which he may have availed himself during his service from the total periods to which under Rule IX he can lay claim. The balance (within the limit of eight years' total furlough on private affairs and medical certificate laid down in Rule XVI) will represent the leave to which he will be entitled on the expiration of not less than three years from his last return to duty.

Illustrations.

(1.)—An officer, who had obtained under the existing rules two years' furlough after ten years' service, returns to India on the date on which this order is promulgated. He accepts its conditions, and serves four years longer in India. On the expiration of that term, he can take one year's furlough, thus—

Total service in India	14 years.
Leave to which that service entitles him ...	3 "
Already enjoyed	2 "
Balance	1 year.

(2.)—An officer of four years' service has proceeded on sick certificate to England for 20 months, extended afterwards to two years. He returns, serves six years in India, takes two years' furlough, and returns to India about the time

of the promulgation of these rules, which he accepts. He must serve four years before he can take an additional year's furlough, thus—

Total service up to return from furlough ...	14 years.
Total service in India	10 „
Furlough enjoyed on that service ...	2 „
Further period of service to entitle him to one year's furlough	4 years.

CHAPTER II.

General leave on private affairs and sick certificate in India.

Leave on private affairs or medical certificate limited to six months.

XXV.—*An officer will be eligible, as at present, to take leave on private affairs or sick certificate anywhere in India for any period not exceeding six months, at the discretion of His Excellency the Commander-in-Chief, or of the Government under which he may be serving. During the entire period of his absence on this account, the officer will be entitled, as at present, to his full pay and a moiety of his staff salary. Leave taken under this rule will form no part of the eight years' aggregate furlough. If this indulgence should be taken advantage of for a third year consecutively, the officer will lose his staff appointment unless entitled to retain it under Rule II.

Pay as heretofore.

If taken for a third year consecutively, staff appointment forfeited.

If extended to 1 year on medical certificate, reckons in the 8 years of Rule XVI.

XXVI.—Leave on sick certificate for a period exceeding six months, capable of extension, under renewed medical certificate, to a limit of one year, may be granted to any officer who, in the opinion of a Medical Board, may require it. Leave of this nature, taken after the promulgation of these rules, will be held to constitute a part of the maximum period of eight years' leave of absence to which an officer is entitled in his entire period of service, but will not be regarded as furlough, nor will it affect the intervals entitling to furlough laid down in Rule IX. During this leave the absentee will draw a moiety of his staff salary in addition to the pay of his rank. But if the 12 months be exceeded, the whole leave must be reckoned as furlough, and allowances be adjusted accordingly.

If extended over 1 year, reckons as furlough.

Short leave (not exceeding 3 months) allowed as heretofore.

XXVII.—Short leave, not exceeding three months, on private affairs or sick certificate, may also be taken to sea on the above condition; but absence from India for any longer period will be treated as furlough.

* A military officer in civil employ having applied for six months' leave on private affairs to Cashmere, it was decided in the Military Department that leave under this Rule was applicable only to officers in military employ, an officer in civil employ who has elected the Rules of 1868, coming under the provisions of Rule XXXIII. (*Military Department's Order, No. 66, dated 3rd April* 1875.)

XXVIII.—All general leave taken in India counts as part of the leave reckoning against service for pension.

CHAPTER III.

Privilege Leave.

Limited to 60 days in each year.

XXIX.—Privilege leave may be granted, as at present, for sixty days in each year to all officers in military employ, without deduction from the salaries and emoluments drawn by them. General leave, in extension of privilege leave, can only be granted on the ground of sickness, or some other serious emergency which could not have been foreseen when the officer proceeded on privilege leave. Privilege leave may, however, be converted into general leave with the sanction of the Commander-in-Chief or the Government.

When extended.

Ninety days allowed from certain stations.

XXX.—In the case of the stations noted in the margin, privilege leave may, as at present, be granted for ninety days to officers of local corps, or of corps which are usually employed in one or other of the districts named.

Assam.	Bunnoo.
Shillong.	Dera Ismael Khan.
Erinpoora.	Dera Ghazee Khan.
Deolee.	Rajanpore.
Khairwara.	Jacobabad.
Khotra.	

No restriction as to place.

XXXI.—An officer is at liberty to proceed, wherever he may desire, on privilege leave, provided he can ensure his return before the expiration of his leave.

Must be apart from furlough or other leave.

XXXII.—Privilege leave cannot be taken in continuation of furlough, nor can furlough be obtained in continuation of privilege leave. If furlough be obtained by an officer while absent on privilege leave, the privilege leave will be converted into general leave, the officer for that period sacrificing a moiety of his staff salary.

Military Officers in Civil employ.

XXXIII.—Those Military Officers (including Warrant Officers who hold Honorary, Veteran, or Unattached Commissions) in Civil or Political employ who may elect these rules when they take leave in India, come, as respect periods of leave obtainable and amount of pay to be granted, under the Civil Leave Rules. When they take leave out of India, they come under the Military Leave Rules.

For preparatory or subsidiary leave, see Note (4) of Rule XVIII.

Subsidiary Rule.

Election of these rules to be final.

XXXIV.—Officers of the Indian Military and Medical Services will be required generally to notify their intention to accept these rules, or to adhere to those now existing, on the first occasion of

their taking furlough or general leave after the publication of this order. Such election must be considered final, and under no plea whatever will an officer be subsequently relieved from the choice thus made.

Fund subscription during furlough.

§ 2. Officers going home under these rules will pay English rates of subscription only to the Military Fund.

Benefits allowed to those who elect existing rules.

§ 3. Officers who may determine to abide by existing rules, will be allowed to proceed on furlough on the conditions laid down in Rules VII, VIII, and XIII, to the extent to which they may be entitled under the Furlough Regulations of 1854, or of 1796, whichever of the two they may have elected, and on the rates of pay contemplated in those Regulations, but retaining their appointments. The principle laid down in Rule XV must, however, be applied in those cases.

Previous service of officers under 1796 Rules how reckoned.

§ 4. If an officer under the Furlough Rules of 1796 elects the present rules, his service for pension will be reckoned under the former rules up to 1st July 1868, and thenceforward under the rules of 1868; and the fact of the officer having been on furlough on 1st July 1868, and not then having elected the rules of 1868, will not affect the case. All periods of leave out of Indian limits taken previous to 1st July 1868, will be wholly excluded from his service for pension; but he may reckon towards pension periods of leave taken subsequent to that date, according to the length of his service counting for pension, as shewn in Rule XXIII.

Retirement under 1796 Rules not affected.

His election of these Furlough Rules in no way affects his right to *retire* under the Pension Rules of 1796.

2.

Revised furlough and Leave Rules for the Staff Corps and Indian Local and Medical Services.

General Order, Military Department No. 1316 *of* 1875, *dated* 30*th December* 1875.

Under instructions from Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to publish the following revised furlough and leave rules applicable to the Staff Corps and Indian Local and Medical Services:—

Furlough and Leave Rules.

1. Officers included in Schedule A may receive, after five years' service in India or under the Government of India, one year's furlough, and an additional year for each subsequent five years'

service. Furlough not taken at the time it becomes due is not lost, and can, subject to these rules, be taken later.

2. An officer may receive at any time any portion of the furlough to which he is entitled. But, except under Rule 8, he may not be absent from duty on any ground for more than three years consecutively; nor, on return from furlough, may he receive, except under Rule 6, any further portion of the furlough to which he is entitled, until after the interval of two years.

3. It must be distinctly understood that furlough is subject to the exigencies of the public service. Officers commanding regiments, and Heads of Departments, will forward no application for furlough unless able to satisfy the superior authorities that the officer's services can be spared without any inconvenience to the public service.

4. Furlough does not involve forfeiture of appointment, may be spent anywhere, and counts as service for pension.

5. An officer on furlough receives (up to, but not beyond, the sum of 1,000*l.* a year) half the emoluments of his office, computed according to a rate of exchange to be fixed in each year by the Secretary of State: but in any case he does not receive less than 250*l.* a year. The emoluments of his office include all pay, staff corps pay, staff salary, and Indian allowances he would receive in respect to it if he were on duty, and for the purpose of each payment his office is the office he fills on the day when that payment becomes due.

6. Upon certificate of a Medical Board, an officer not entitled to furlough, if he has served not less than two years in India, may receive it for any period not exceeding two years; but such furlough will be deducted from his next accruing furlough until it is paid off. An officer will not be allowed to anticipate furlough under this rule to an aggregate amount of more than two years.

Ruling.—* An officer of less than two years' service, from date of coming under the new rules, falling sick, will be sent to England on medical certificate on English furlough pay, subject to the decision of Her Majesty's Government as to his ultimate disposal; a special report on each case being submitted to Her Majesty's Government by the Government of India, or in the case of officers of the Madras or Bombay army by the Governments of those presidencies.

7. An officer who has exhausted the furlough obtainable under these rules, and who may be certified by a Medical Board to be still unfit for duty, will be placed temporarily or permanently on half-pay, according to the circumstances of the case.

8. Under very urgent circumstances special furlough may be granted for private affairs, which need not be paid back; but it will be in all cases without any kind of pay, and will not count for pension.

Ruling.—* The amount of leave which may be granted under this rule will be restricted to such period as the Government granting it is satisfied is actually necessary with reference to the urgency of the case.

* G. G. O., Military Department, No. 1110, dated 27th October 1876.

9. Advances for passage money, on need shown, will be granted to officers on furlough, to be recovered in manner specified at the time of the grant: in India, at the discretion of the local Government; and in England, at the discretion of the Secretary of State.

10. Leave may be granted for any period not exceeding six months at a time, and may not, except for very urgent reasons, to be specially reported to the Government of India, be renewed till after six months have elapsed from its expiration. It must be spent at some place east of the 40th degree of east longitude. Subject to these conditions, it may be granted or refused entirely at the discretion of the local authorities, who in granting it shall fix its duration, and may fix the limits within which it shall be spent, and whether during its continuance half pay and allowances are to be deducted for the payment of a substitute; and they may grant it as preparatory to furlough or for the purpose of a medical examination. Leave counts as service for pension and furlough. The local authorities shall be defined for the purpose of this rule by the Government of India.

11. Leave and furlough are reckoned from and to the close of the days named in the order granting them.

12. The position of officers not included in Schedule A will be unchanged as respects leave or furlough.

13. Officers now in the service placing themselves, from a given date, under these rules shall count service for pension up to that date under the rules to which they were then subject.

Ruling.—* An officer takes with him so much service for pension as he had become entitled to under former rules. Under the rules of 1854 and 1868, two years' leave in 20 years' service counts for pension, but in periods of less than 20 years, no leave counts. Therefore, if an officer, now under the rules of 1854 or 1868, of 20 years' service with two years' leave, elects the present rules, his service for pension will be 20 years; if an officer of 19 years' service with the same amount of leave elects these rules, his service for pension will be 17 years only.

SCHEDULE A.

Officers entering the Staff Corps or Indian Medical Service, and Warrant Officers attaining that rank, after the 31st December 1875; and

Ruling.—* The date of entry into the Staff Corps is that of entry for choice of furlough rules, *viz*, the date on which the officer was originally appointed on probation. An officer, therefore, whose date of admission to the Staff Corps is not after the 31st December 1875, will have the choice of rules, but an officer whose date of admission is after that date will have no option.

Any other Officers, Commissioned or Warrant, belonging to the Indian Army or Medical Service, or Officers of the Staff Corps, who, after the 31st of December 1875, shall, before asking for leave or furlough, apply in writing to their local Governments to

* G. G. O, Military Department, No. 1110, dated 27th October 1876.

be placed definitively upon this Schedule: but their service for furlough under Rule 1 shall commence from the date of such entry or such application respectively.

Ruling.—* An officer coming on this schedule, having furlough to his credit under previous rules, forfeits such furlough absolutely, he being required to serve five years from date of applying to be placed on the schedule before he can take one year's furlough unless it be sick furlough under Rule 6. An officer similarly circumstanced, but having furlough to his debit, is equally with the others entitled to take one year's furlough, five years after joining the new rules.

Any officers in Civil employment declared by the Government of India to be under Civil Leave Rules shall not be under these Rules.

*** The last-pay certificate issued to an officer to whom furlough or leave has been granted shall state the pay to which, under Rule 5, he is at that date entitled in respect to the office he is holding, noticing the date, if any fixed, at which he will vacate it.

With advertence to the foregoing rules, the Right Hon'ble the Governor General in Council is pleased to notify—

I. That no "extra or special allowances" drawn by an officer which are now excluded from the account in calculating furlough pay under the Rules of 1868, can be reckoned in calculating furlough pay under these rules (Rule 5).

II. That the Governments of the three Presidencies, or their Excellencies the Commanders-in-Chief in regard to officers serving directly under them, shall be held to be the "local authorities" named in Rule 10.

III. That pending further orders, a Staff Officer granted leave under Rule 10 shall receive, as heretofore, the pay or Staff Corps pay of his rank and half the staff salary of his appointment during such leave: but full staff salary may be allowed him for the first two months (as now during privilege leave) when he makes approved arrangements for the performance of his duties during that period. In such cases the G. O. granting the leave must state that the first two months are to be on full staff pay.

N. B.—It is distinctly to be understood that the rule regarding the pay to be drawn on leave under para. 10 is liable to be modified at any time in any way that the Government of India may deem expedient.

IV. Pending further orders, these rules are not applicable to any officer in Civil employ.

* G. G. O., Military Department, No. 1110, dated 27th October 1876.

APPENDIX D.

FORM A.

(Obverse.)

Furlough Rules of 1854.

Certified that A. B. has years months days' furlough on private affairs at his credit, and is under the Furlough Rules of 1854.

A. B. is eligible for such furlough for years months days on English furlough pay, and to such extension on medical certificate without pay, as may be granted.

Should A. B. proceed on medical certificate, he will be eligible for furlough for twenty months on pay in the first instance, drawing for the first six months Indian pay (or pay and allowances) and half staff salary, and for the remaining fourteen months English furlough pay. Extension of this leave up to three years in all on English furlough pay can be given on medical certificate, by any further extension will be without pay.

MILITARY DEPARTMENT,
The 187 . } *Secy. to the Govt. of*

NOTE.—On the back is noted the date of beginning and ending of any leave already taken, the nature of such leave, and the rule under which it was taken.

(Reverse.)

LEAVE ALREADY TAKEN.		Nature of leave.	Rule under which taken.
Date of beginning.	Date of ending.		

FORM B.

(Obverse.)

Furlough Rules of 1868.

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

A. B. is eligible for furlough on "furlough pay" up to years months days in all, on private affairs, also to years months days more, if granted an extension on medical certificate.

But no pay can be granted to A. B. under any circumstances after he has been three years absent.

MILITARY DEPARTMENT,
The 187 . } *Secy. to the Govt. of*

NOTE.—(As in Form A.)

(Reverse.)

(As in Form A.)

FORM C.

(Obverse.)

Furlough Rules of 1868.—*Rule XI.*

Certified that A. B. has years months days' furlough at his credit, and is under the Furlough Rules of 1868.

Not being eligible for ordinary furlough, A. B. can only obtain it under Rule XI for a period not exceeding six months on pay equivalent to the British regimental pay of his rank.

This furlough cannot be extended beyond six months except on medical certificate, on the same pay and for such periods as the Secretary of State may think fit. But any extension allowed after three years' absence must be without pay.

MILITARY DEPARTMENT,
The 187 . } *Secy. to the Govt. of*

NOTE.—(As in Form A.)

(Reverse.)

(As in Form A.)

SUPPLEMENT A.

LIEUTENANT-GOVERNORS AND MEMBERS OF COUNCIL.

Lieutenant-Governors.

1. Leave on medical certificate for not more than six months may be granted to a Lieutenant-Governor. On resuming his duties after such leave, a Lieutenant-Governor is entitled to half his salary for the period of his absence. If he is prevented from resuming his duties, he is entitled to no absentee allowances.

A Lieutenant-Governor is not entitled to any other leave.

Member of Council.

2. The leave admissible to an Ordinary Member of the Executive Council of the Governor General, or of

the Governor of Madras or Bombay, is regulated by Act of Parliament, Section 26 of 24 & 25 Vic., Cap. 67.*

SUPPLEMENT B.

JUDGES OF HIGH COURTS AND CERTAIN LEGAL AND JUDICIAL OFFICERS.

*Regulations by the Secretary of State in Council of India under the provisions of 24 & 25 Victoria, Cap. 104, Section 6, respecting the furloughs * * * of the Chief Justices and Puisne Judges of the High Courts of Judicature, for the Bengal Division of the Presidency of Fort William, Madras, Bombay and the North-Western Provinces; and Regulations by the Secretary of State in Council respecting the furloughs and leaves of absence of certain other Legal and Judicial Officers.*

* * * * * *

Definitions.

I.—In the following Rules, "actual service" includes— Actual service.

(1.) Time spent on duty as a Judge or Officiating Judge of a High Court.

(2.) Privilege leave of absence.

(3.) Subsidiary leave of absence.

(4.) Duly authorised vacations, provided that the Judge is not absent on furlough or extraordinary leave.

"Extraordinary leave" means any leave granted otherwise than under these Rules. Extraordinary leave

II.—One year's furlough shall be placed to the credit of each Judge, after the completion of every four years of actual service. Furlough.

III.—Except under Rules VI and VII, no furlough shall be granted until at credit under Rule II.

* *Section* 26.—It shall be lawful for the Governor General in Council, or Governor in Council of either of the Presidencies, as the case may be, to grant to an ordinary Member of Council leave of absence, under medical certificate, for a period not exceeding six months, and such Member, during his absence, shall retain his office, and shall, on his return and resumption of his duties, receive half his salary for the period of such absence; but, if his absence shall exceed six months, his office shall be vacated.

Provided that any Judge who may have been already in the service of the Government at the time of taking office in the High Court, and who was, at that time, entitled, under the Rules applicable to the branch of the service to which he belonged, to furlough, without medical certificate, may be granted furlough for a term not exceeding that to which he was so entitled upon the condition that such furlough shall not be taken until the completion of two years' actual service in the High Court, and shall not exceed one year.

IV.—Except under Rule VII, furlough shall not be repeated until after the completion of three years' actual service from the date of the last return from furlough or extraordinary leave.

N. B.—The words "furlough or extraordinary leave" in the above Rule mean furlough under these Rules, or extraordinary leave granted to an officer since he has been a Chief Justice or Judge of a High Court.

V.—The maximum term of furlough to be taken at any one time shall be fifteen months.

VI.—Under medical certificate, furlough may be granted before it is at credit under Rule II.

VII.—On urgent private affairs, furlough may be granted before it is at credit under Rule II, and although three years of actual service have not been completed since the last return from furlough or extraordinary leave.

Provided that furlough under this Rule shall not exceed six months, and shall be granted only once during the whole period of a Judge's service in the High Court.

VIII.—The aggregate amount of all furlough which can be granted to a Judge during the whole period of his service in the High Court is two years and a half.

IX.—Furlough taken in India shall be reckoned from the date of the Judge's quitting his office to the date of his return thereto. Furlough taken out of India shall be reckoned from the date of embarkation to the date of return.

[NOTE.—By the date of return is meant the date of debarkation.]

In the event of the furlough being taken partly in India, and partly out of India, the commencement and termination of the furlough shall be respectively determined by the above Rules, according as the furlough begins or ends in or out of India.

Subsidiary leave.

X.—For the interval elapsing between the date of quitting his office and the commencement of furlough out of India, and between the termination of furlough out of India and resuming his office, a Judge may be allowed subsidiary leave not ordinarily exceeding thirty days, which in special cases may be extended.

Allowances on furlough or subsidiary leave.

XI.—A Judge, when on furlough or subsidiary leave, shall receive allowances at the rate of Rs. 833-5-4 per mensem in the case of leave taken in India, or £1,000 per annum in the case of leave taken out of India.

Limitation of furlough.

XII.—Except under medical certificate, the number of furloughs to be granted at any one time, and the grant of furloughs to individual Judges, shall be subject to, and limited by the exigencies of, the service, which exigencies shall be determined exclusively by the authority granting the furlough.

Priority of grant of furlough.

XIII.—If, owing to the exigencies of the service, it may be necessary to place any limit on the number of Judges who may be absent on furlough at the same time, applications not supported by medical certificate will be granted in the following order:

The Judge to whose credit the greatest amount of furlough remains under Rule II shall have the preference.

If two or more applicants are on an equality in this respect, the preference shall be given to the applicant whose actual service in a High Court is longest, reckoning, in the case of a Judge who has not taken furlough or extraordinary leave, from the date of his commencement of service in the High Court, and, in the case of a Judge who has taken furlough or extraordinary leave, from the date of his last return from such furlough or leave.

If two or more applicants are equal in both respects, the preference shall be given to the senior in the Court.

Privilege Leave.

Amount admissible.

XIV.—Subject to the exigencies of the service, a Judge who has completed eleven months' continuous duty, inclusive of vacations, may, if the Government be satisfied that there is an urgent necessity, but not otherwise, be granted privilege leave for one month without deduction from his salary or acting allowances.

XV.—In the same manner and under the same conditions an additional month of privilege leave shall be held to accrue to a Judge after each further period of eleven months' continuous duty.

Not admissible in instalments.

XVI.—Privilege leave shall not be taken in instalments; but any balance of privilege leave that may not have been taken shall be added to the next privilege leave which may accrue.

Provided that the whole privilege leave taken at any one time shall not exceed three months, and that any accumulation of privilege leave beyond that period shall be forfeited.

[NOTE.—Section 32, Rule 1 of the Code shall not be held to apply to a Chief Justice or Judge of a High Court, even though, under Rule XXIII, he may elect to abide by former Rules. Whatever Rules such an officer may elect, privilege leave shall not be granted to him except on urgent necessity being shewn.]

General.

Commutation.

XVII.—Furlough and privilege leave shall not be taken, as such, in continuation of each other; but if a Judge absent on one of these classes of leave be allowed to change it for another, the whole period of his absence shall be held to be under the class of leave for which it was changed.

Applications.

XVIII.—Applications for leave shall in all cases be submitted in such manner as the Government may, from time to time, prescribe.

Payment of leave allowances

XIX.—Leave allowances shall be payable monthly if payment is taken in India, and quarterly if payment is taken in England.

Rules XIV—XIX.

XX.—No substantive appointment shall be vacated, merely by reason of leave being granted under these Rules. Lien.

XXI.—If a Judge shall overstay any leave, he shall forfeit all salary during the time of his remaining so absent, and if he shall so continue absent for more than one week, his office shall be liable to become vacant. Overstayal of leave.

XXII.—No leave, except privilege leave and leave subsidiary to furlough, shall count as service for pension. Leave not to count towards pension.

XXIII.—Each Judge who stood appointed to a High Court on the 7th August 1869, and has taken no leave since then, shall, on the next occasion of his taking leave, be given the option of accepting these Rules or abiding by those in force before that date for Judges of the High Courts of Judicature. Any Judge who has taken leave since the 7th August 1869, must abide by the Rules he elected when taking that leave. Option of old rules.

[NOTE.—Under this Rule a Covenanted Civil Servant, who stood appointed as Judge of a High Court on the 7th August 1869, may take leave on medical certificate under the Rules which were in force before the 1st July 1868, for the grant of such leave to Covenanted Civil Servants generally.]

XXIV.—If a Judge, who is a Covenanted Civil Servant, shall be permitted to resign his office and remain in the service, all leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the Rules for the leave of absence of Covenanted Civil Servants. Covenanted Civil Servant.

XXV.—The foregoing Rules regarding furlough and leave of absence (I to XXIV) are, with the modifications A and B below stated, applicable also to the following officers :— Certain Legal officers.

Judges of the Chief Court of the Punjab who are Barristers of England or Ireland or Members of the Faculty of Advocates of the Court of Session of Scotland.

Recorders in Burmah.

First Judges of Small Cause Courts at Presidency Towns.

Secretary to the Government of India in the Legislative Department.

Modifications indicated above.

A.—The allowances of these officers while on furlough or subsidiary leave shall not exceed half their salaries, and shall be limited also to the rate prescribed in Rule XI.

B.—The privilege leave of the Secretary to the Council of the Governor General for making Laws and Regulations, shall be regulated by the Civil Leave Code.

SUPPLEMENT C.

LAW OFFICERS.

The following Rules regulate the grant of leave of absence and acting allowances to Law Officers:—

Definition.

1. In these Rules, unless there be something repugnant in the subject or context, the term Law Officer includes an Advocate General, a Standing Counsel, an Administrator General, an Official Trustee, an Official Assignee, a Receiver of a High Court, an Officer of a High Court who holds an appointment which by law can be held only by a Barrister-at-law or a Member of the Faculty of Advocates in Scotland, an Assistant Secretary in the Legislative Department to a Local Government, a Remembrancer or Assistant Remembrancer of Legal Affairs, a Government Advocate, a Clerk of the Crown, a Government Solicitor, a Government Pleader, and a Government Prosecutor.

Belonging to the Covenanted Civil Service.

2. The leave of absence and acting allowances of a Law Officer who is a Member of the Covenanted Civil Service are regulated by the provisions of the Civil Leave and Acting Allowance Codes.

Other than a Covenanted Civil Servant.

3. The leave of absence and acting allowances of a Law Officer who is not a member of the Covenanted Civil Service, or a Government Pleader or Government Prosecutor, but whose pay is fixed, and his whole time retained for the service of Government, are regulated by

the provisions of the Civil Leave and Acting Allowance Codes, as if he were a member of the Covenanted Civil Service.

Government Pleader or Government Prosecutor.

4. A Government Pleader or Government Prosecutor is entitled to such leave of absence and allowances when on leave, and to such acting allowances, as the authority who appoints him may think fit to grant; provided that no expense be caused to the Government.

Not belonging to the Covenanted Civil Service, &c.

5. The leave of absence and acting allowances of a Law Officer who is not a member of the Covenanted Civil Service, or a Government Pleader, or a Government Prosecutor, whose pay is fixed, but whose whole time is not retained for the service of Government, are regulated by the following Rules:—

Active service.

I.—"Active service" includes, besides time spent on duty, leave of absence taken under Rule III, and subsidiary leave of absence taken under Rule VIII.

Application.

II.—An application for leave of absence must be submitted, through the officer who passes his pay, to the authority to which the officer is directly subordinate.

Leave during vacation.

III.—Leave of absence during the vacation of the High or Chief Court within whose jurisdiction the officer serves, may be granted without deduction of pay.

NOTE.—Provided that no expense is caused to the Government. (*To Punjab Government, No.* 2661, *dated 6th September* 1876.)

Leave on medical certificate.

IV.—Leave may be granted on medical certificate for a period not exceeding one year; and leave so granted may, on medical certificate, be extended to twenty months.

V.—Leave of absence on medical certificate may not be granted again until after three years' active service.

On private affairs

VI.—Leave of absence on private affairs for a period not exceeding six months, may be granted once only to an officer who has rendered six years' active service.

Furlough.

VII.—After four years' active service, furlough without pay, but with retention of appointment, may be granted for a period not exceeding one year.

Subsidiary leave.

VIII.—In very urgent cases, subsidiary leave of absence may be granted under Section 24 of the Civil Leave Code; provided that no expense be caused to the Government by the grant of such leave.

Commutation

IX.—Excepting the case of subsidiary leave, no kind of leave may be granted in continuation of any other kind of leave; but any leave may be, retrospectively, changed for any other kind or amount of leave which might at first have been granted.

Beginning

X.—If an officer who has obtained leave of absence makes over charge of his office before noon, his leave begins on, and includes, the day on which he makes over charge; otherwise, it begins on and includes the following day.

and ending of leave.

XI.—If an officer resumes charge of his office after noon, his leave of absence ends on, and includes, the day on which he resumes charge; otherwise, it ends on and includes the day before he resumes charge.

Allowances

XII.—An Officer, while on leave under Rule IV, V or VI, is entitled to half pay: Provided that his maximum leave allowance is, if paid in India, Rs. 833⅓ a month, and, if paid at the Home Treasury of the Government of India, £250 a quarter.

Acting Officer

XIII.—An Officiating Officer is entitled to the pay of the appointment less the fraction of it drawn by the absentee in addition to the same fraction of the pay of his own substantive office if any. In calculating this fraction the maximum leave allowance of £250 a quarter, payable from the Home Treasury of the Government of India, is held to be equal to Rs. 2,500.

ILLUSTRATIONS.

A, the Remembrancer of Legal Affairs in Bombay (pay Rs. 1,000 a month) officiates for B the Advocate General (pay Rs. 2,000 a month) who is on leave with an absentee allowance of £1,000 a year=Rs. 833⅓ a month, or $\frac{5}{12}$ths of the pay of the Advocate General. A is entitled to $\frac{7}{12}$ths of the pay of the Advocate General=Rs. 1,166⅔, and $\frac{5}{12}$ths of that of Legal Remembrancer=Rs. 416⅔, *i. e.*, to a total of Rs. 1,583⅓ a month.

Rules VIII—XIII.

Provisos :—

(1) The minimum salary of a Standing Counsel at Calcutta is Rs. 1,000 a month, and

(2) The minimum salary of a Government Advocate at Lahore, Allahabad, Rangoon or Moulmein is three-quarters of the pay of the appointment.

6. Leave of absence may be granted under the Rules in Clause 5 to a Law Officer who is paid by fees, whether his whole time be retained for the service of Government or not, on condition that he makes such arrangements for the performance of his duties as are satisfactory to the authority by which he is appointed, and on condition that, in case of his obtaining leave of absence on private affairs under Rule VI, the Officiating Officer shall receive the whole of the fees attached to the office. Paid by fees

7. A Law Officer who was in the service of the Government on the 2nd December 1875, was allowed the option of remaining subject to the Rules which regulated his leave and allowances before that date, provided that such option was declared before the 2nd June 1876. Option

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SUPPLEMENT D.

BISHOPS.

The following Rules regulate the grant of leave to Bishops :—

2. A Bishop may be allowed leave of absence either on medical certificate or on furlough. Furlough or leave on medical certificate

3. The amount of leave of absence on medical certificate admissible to a Bishop is limited to two years. Amount admissible on medical certificate

4. Subject to the limitation in Rule 3, leave of absence may be granted to a Bishop upon medical certificate for a period not exceeding one year. Leave so granted may be extended upon medical certificate to any period not exceeding eighteen calendar months.

Amount of furlough.

5. The amount of furlough admissible to a Bishop at one time is limited to six calendar months.

6. The amount of furlough earned by a Bishop is one-eleventh of the time during which he has been on duty without interruption; provided that no additional furlough can be earned by duty done while six months' furlough is due, and that, when duty is interrupted, all furlough earned theretofore is cancelled.

The furlough due to a Bishop is the furlough which he has earned less the period during which he has been absent on furlough.

Absence on furlough, though not counting as duty, is not an interruption of duty within the meaning of this Rule.

7. To a Bishop who has been on duty without interruption for thirty-three calendar months and who has not for twelve calendar months been absent on furlough, the whole or any part of the furlough due to him may be granted.

Charge of Diocese.

8. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop is entitled to an allowance of Rs. 500 a month in addition to the pay of his substantive office.*

Allowance on furlough.

9. A Bishop while absent upon furlough or upon leave on medical certificate is entitled to full pay less Rs. 500 a month, but not to any other allowances.

Charge of Diocese.

10. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop upon leave on medical certificate is entitled to the travelling and other similar allowances admissible to the Bishop.*

Allowances of the Bishop of Madras or Bombay when acting for the Bishop of Calcutta.

11. The allowances of the Bishop of Madras or Bombay when performing the functions of the Bishop of Calcutta during his absence on leave, are regulated by 5 & 6 Vic., cap. 119. In such case the Bishop of

* Formal appointment of the Archdeacon by the Government to hold charge of a Diocese is not necessary to enable the Accountant General to pass the extra allowance of Rs. 500, and the travelling and other allowances admissible to the Bishop. It is sufficient for the Accountant General if he has received notice officially that the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or take charge of the Diocese.

Madras or Bombay is entitled to an allowance at the rate of Rs. 833⅓ a month in addition to his salary as Bishop of Madras or Bombay, and the Bishop of Calcutta will receive during such absence the salary of his office less Rs. 833⅓ a month.

12. A Bishop of Madras or Bombay exercising the episcopal jurisdiction and functions appertaining to the Section of Calcutta during a vacancy of the See by the demise of the Bishop thereof for the time being, or otherwise, is entitled to the full pay fixed for the office, *viz.*, Rs. 3,831-6-8.*

13. Leave under these Rules may be granted to the Metropolitan, by the Governor General in Council, and to the Bishops of Madras and Bombay, by the Governments of those Presidencies, on the recommendation of the Metropolitan. Metropolitan.

SUPPLEMENT E.

CHAPLAINS.

PRELIMINARY.

Section **1.**—The following Rules regulate the grant of leave to Chaplains. Chaplains.

Section **2.**—In these Rules—

(*a*) "Active service" includes besides time spent on duty— Active service.

(1). Privilege leave of absence.

(2). Subsidiary leave of absence.

(3). Time passed in India out of employ, but not on leave.

(*b*) "Extraordinary leave" means leave of absence granted otherwise than under these Rules. Extraordinary leave.

(*c*) "Continuous service" and "continuous active service" mean the service and active service of a Chap- Continuous service.

* By Act 53, Geo. 3, Cap. 155, Section 49, the pay of the Bishop of Calcutta is fixed at £5,000, to be paid at an exchange of two shillings for the Bengal current rupees. One hundred Bengal current rupees=$\frac{192}{118}$ sicca rupees = sicca rupees 86·2068 = rupees 91·9540. Thus the pay of the Bishop of Calcutta is rupees 3,831-6-8 a month. (*Resolution by the Government of India, Financial Department, No.* 490, *dated* 31*st May* 1876, *paragraph* 3)

lain since his last return from furlough or extraordinary leave lasting more than three months; or, if he have not had such leave, since the beginning of his active service.

No leave can be included in continuous service except privilege leave and special leave.

FURLOUGH.

Aggregate admissible.

Section **3**.—The amount of furlough admissible to a Chaplain is limited to six years. All the Rules in this Supplement are subject to this limitation.

Furlough and leave with allowances on medical certificate under former Rules, are counted as furlough under this Rule; but leave of absence in India taken before the 25th August 1854 is not.

Furlough earned

Section **4** (*a*).—The amount of furlough "earned" by a Chaplain is one-fourth of his active service, and three months in addition thereto.

and due

(*b*).—The amount of furlough "due" to a Chaplain, is the amount which he has earned, diminished by—

(1) the amount of furlough which he has enjoyed under these or any former Rules;

(2) the excess over one year in the amount of leave with allowances on medical certificate which he has enjoyed under former Rules.

Furlough admissible

Section **5** (*a*).—To a Chaplain who has rendered three years' continuous service, furlough for not more than two years may be granted as follows:—

First, on medical certificate,—unconditionally:

1. Section 38 of the code, Rules 2 to 9, apply generally to Chaplains also.

Secondly, without medical certificate,—subject to these provisos—

(1) that the furlough be due to him;

(2) that he have rendered seven years' active service;

(3) that the whole number of Chaplains absent on furlough and special leave do not exceed the limit appointed by the Government of India.

1. Except on medical certificate, or on very urgent private affairs, furlough or special leave may not be granted to Church of England Chaplains employed in the Diocese of Calcutta, if fifteen per cent. of the whole number of such Chaplains are already absent on furlough or special leave. The Bishop of Calcutta will report to the Government of India when the limit is reached.

(*b*).—Furlough taken under this Section may, on medical certificate, be extended to not more than three years.

(*c*).—The furlough of a Chaplain is strictly limited to a period of three years at one time, and cannot be extended even without allowances. But the Secretary of State for India reserves to himself the power of allowing a Chaplain to remain in Europe beyond three years, should special and exceptional circumstances require a modification of this Rule. Limited to th ee years.

Section 6 (*a*).—To a Chaplain who has not rendered three years' continuous service, furlough for not more than one year may be granted on medical certificate. Medical certificate.

(*b*).—Furlough granted under this Section for less than one year may, on medical certificate, be extended to not more than one year.

Section 7.—A Chaplain on furlough is entitled to allowances as follows :— Allowances.

	On ordinary furlough.	On other furlough.
Archdeacon, and the Senior Chaplain of the Church of Scotland	£600 a year.	£480 a year.
Senior Chaplains	£500 „	£384 „
Junior Chaplains	£350 „	£300 „

Explanation.—Ordinary furlough includes—

(1) the first two years of each separate period of furlough under Section 5;

(2) so much of furlough under Section 6 as may be due, provided that the Chaplain have rendered six months' continuous active service.

1. A Chaplain on furlough does not forfeit his past leave allowance by resigning the service without returning to India.

SPECIAL LEAVE OF ABSENCE.

Amount admissible

Section 8.—Special leave on urgent private affairs may be granted at any time, for not more than six months:

Provided that a Chaplain, who has had special leave, must render six years' active service before he can again have such leave.

Allowances.

Section 9 (*a*).—For the first period of a Chaplain's special leave, he is entitled to the leave allowance admissible during ordinary furlough.

(*b*).—In subsequent periods he is entitled to no leave allowance.

SUBSIDIARY LEAVE OF ABSENCE.

Amount admissible.

Section 10 (*a*).—Furlough and special leave, out of India, begin on, and include, the date of the departure of the vessel on which the Chaplain sails; and to a Chaplain taking such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up duty to the day before that on which his furlough or special leave begins.

(*b*).—Furlough and special leave, out of India, end on, and include, the day before the arrival of the vessel in which the Chaplain is; and to a Chaplain returning from such leave, subsidiary leave not ordinarily exceeding thirty days, may be granted from the day on which the vessel arrives, to the day before that on which he assumes the duty to which he may be appointed.

1. Subsidiary leave may be granted to a Chaplain retiring from the service, to the same extent and with the same allowances as if he were going on furlough.

2. Subsidiary leave for more than thirty days may be granted in cases of necessity; but every such grant and the reason for it are to be reported to the Government of India.

3. A Chaplain may leave India, or return to India, by any port he likes; but the dates by which the beginning and ending of furlough and special leave are determined, are the date of the vessel's departure from the port where he first meets it, and arrival at the port where he quits it. For instance: a Chaplain sailing from Calcutta in a vessel which touches at Madras, counts by the date of departure from Calcutta, and not from Madras.

4. The date of the departure of a vessel from any port where a Pilot is taken is held to be the date on which the Pilot leaves it at sea; and the date of the arrival of a vessel in such a port is the date on which the Pilot is taken on board.

Explanation.—A Chaplain may take furlough or special leave partly in, and partly out of, India. But subsidiary leave is not admissible under Clause (*a*) of this Section unless the furlough or special leave begins as furlough or special leave out of India; nor under Clause (*b*), unless it ends as furlough or special leave out of India.

Allowances.

Section **11.**—A Chaplain on subsidiary leave is entitled to the same allowances as during the leave to which it is subsidiary.

1. A Chaplain may draw allowances as if he were on privilege leave, for any part of his subsidiary leave under Clause (*a*) of Section 10, for which, if he were not going on furlough or on special leave, privilege leave would be admissible to him.

PRIVILEGE LEAVE OF ABSENCE.

Amount admissible

Section **12.**—Privilege leave may be granted as follows:—

After five months' uninterrupted duty,—for not more than one month.

After ten months' uninterrupted duty,—for not more than two months.

After fifteen months' uninterrupted duty,—for not more than three months.

1. In applying for privilege leave, a Chaplain must record a declaration that he has no intention of retiring or of taking fur-

lough, special leave, subsidiary leave or leave on medical certificate, for three months after his return to duty. Though not absolutely debarred by this declaration from applying to retire or to take such leave within three months, he should, if he does so, explain his change of mind.

2. A Chaplain may not take privilege leave in instalments.

Allowances.

Section **13**.—A Chaplain on privilege leave is entitled to the same pay and house-rent as if he were on duty.

1. A Chaplain on privilege leave is not entitled to local allowances, such as conveyance allowance, jail allowance, or the special allowance to the Senior Chaplain of the Church of Scotland. Such allowances are drawn in full by the substitute.

2. The Chaplain's substitute may draw the house-rent, although it is also drawn by the absentee.

MISCELLANEOUS.

Section **14**.—The Rules for—

Extension, &c.

(1) Extension and commutation of leave; and

(2) Payment of leave allowances;

are those contained in Sections 35 and 36 of the Code, and the rulings subjoined. But to a Chaplain going on furlough to England, an advance of the first quarter's allowances may be made, which advance is not recoverable in the event of his death.

1. A Chaplain on leave in any of the British Colonies may draw his leave allowances there through the Control Pay-Master in the same manner as a Military Officer. But the requisite authority to pay must first be given by the Government of India.

Section **15**.—Applications for leave are to be dealt with as the Governor General in Council may from time to time prescribe; and priority of claim is determined in accordance with section 39 of the Code.

1. The following Rules have been prescribed in the Home Department with reference to applications for leave from Chaplains on

the Bengal Ecclesiastical establishment, and from Chaplains on other establishments serving in the Diocese of Calcutta*:—

I.—Subject to the exigencies of the public service, Local Governments and Chief Commissioners, in the Bengal Presidency, are empowered, with the concurrence of the Bishop of Calcutta, to grant any furlough or special leave authorised by the Rules to Chaplains serving within their respective jurisdictions. But the Government of India alone grants leave to Chaplains of the Church of Scotland serving in the Bengal Presidency.

II.—If a Chaplain applying for furlough or special leave belong to the Madras or Bombay Ecclesiastical establishment, the Local Government or Administration under which he is serving will, if the furlough or leave be granted, inform the Government of Madras or Bombay as the case may be.

III.—The Bishop of Calcutta is empowered to grant privilege leave to Chaplains under Section 12, subject to the exigencies of the State, of which the Bishop shall be the judge. But the grant, cancelment, or extension of such leave should be reported to the Local Government or Administration concerned.

IV.—All application for leave or furlough should be accompanied by a certificate from the local Accountant General, shewing that the applicant is entitled to the leave asked for, and should, as a general rule, be forwarded, in the first instance, through the proper channel, to the Bishop of Calcutta, who will transmit appli-

* The subjoined orders will in future regulate the granting of leave to Chaplains of the Church of Scotland, and the Department from which their salary should be drawn.

1. It is only on rare occasions that a Chaplain is specially attached to a particular Regiment; although usually he is moved with the Regiment, and is appointed Chaplain of the Station where the Regiment is quartered. When so appointed, he draws salary from the Civil Department. On the other hand, when attached to a Regiment, his pay becomes a charge upon the Military Department, and should be drawn thence.

2. Leave of absence, however, whether the Chaplain is attached to a Regiment or not, should be granted in the local Civil Department, and should be notified in the local Gazette by the Local Government within whose jurisdiction the Chaplain is serving. When the Chaplain is attached to a Regiment, the application for leave will be forwarded through the Commanding Officer. In the case of the Senior Chaplain, the leave should be granted by the Local Government and by the Government of India concurrently, and be notified in the local Gazette and in the *Gazette of India*,

3. It is also necessary that arrangements should be made for keeping a record of each Chaplain's services. And the Governor General in Council is pleased to direct that this record should be compiled in the Office of the Comptroller General for Chaplains in the Bengal Presidency, and in the Office of the local Accountant General for those in Bombay and Madras. When a Chaplain is attached specially to a Regiment, and when he is relieved of that charge, the Account Officer concerned should be informed by the Military Department.

(Home Department's Resolution No. 4—297 of 5th September 1875.)

cations for furlough or special leave, with His Lordship's remarks, to the Local Government or Administration concerned, and will himself dispose of applications for privilege leave. But in cases of urgency, leave on medical certificate may be granted by the Local Government or Chief Commissioner in anticipation of the concurrence of the Bishop, who should, however, be informed without delay.

V.—Except under orders of the Secretary of State, the term of furlough or special leave cannot be altered without the permission of the Government or Administration by which it may have been granted.

VI.—Every Chaplain who obtains leave or furlough shall supply himself with a Last-pay Certificate, and with a statement showing the pay which he is entitled to draw while absent. It shall be the duty of the local Accountant General to furnish these documents, and no leave allowances will be payable without their production.

VII.—A quarterly statement of Chaplains absent on furlough or special leave, with the dates of the grant and expiry of such furlough or leave brought up to the 31st March, 30th June, 30th September, and 31st December of each year, shall be punctually furnished by Local Governments and Administrations to the Government of India in the Home Department.

VIII.—From these quarterly returns, a register will be compiled and kept at the office of the Secretary to the Government of India in the Home Department, of all grants to Chaplains on leave or furlough, of all extensions of leave or furlough, and of all returns to duty from absence. This register will be published quarterly in the *Gazette of India.*

IX.—Every Chaplain returning to duty shall report his return to the Bishop, and to the Local Government and Administration by which his leave or furlough may have been granted.

X.—If any Local Government or Administration shall see fit to refuse a furlough to any Chaplain on the ground of the exigencies of the public service, it shall report such refusal for the confirmation of the Government of India.

SUPPLEMENT F.

UNCOVENANTED OFFICERS GENERALLY.

[Such of the Rules under the Sections of the Code as are not expressly restricted to Covenanted Civil Servants, or are not explanatory of points in which the provisions of the Code differ from those in this Supplement, apply also to Uncovenanted Officers generally.]

PRELIMINARY.

Application of the rules.

Section 1 (*a*).—Leave of absence from duty may be granted under the following Rules to officers who have

Section 1.

substantive appointments on permanent establishments under the Government, and who are not entitled to leave under any of the other Rules in this Code or its Supplements.

(*b*).—These Rules apply fully only to those whose pay is not less than one hundred rupees a month. But leave may be granted under them to an officer, whether he be in superior or inferior service,* whose pay is less than one hundred rupees a month, so far as it can be done without imposing any cost upon the State (*see Acting Allowance Code, Section* 22). No leave in excess of the leave admissible under these Rules may be granted to such an officer, with allowances, or counting as service for pension.

Exceptions.—(1.) A Peon or a Guard in permanent employ, whose case is not provided for in *Exception* (2), while sick in hospital or receiving medical aid as an out-door patient of the hospital of the Station at which he serves, may, without reference to the allowance paid to his substitute, be allowed half pay for a period not exceeding six months altogether, in any one term of three years, whether such leave be taken in one period or by instalments.

(2.)—A Police Officer enrolled under any Act of the Legislature or belonging to the Trans-Indus or Port Blair Police Forces, whose monthly pay does not exceed twenty rupees, or an Officer of the Inland Customs Department, whose monthly pay does not exceed twenty rupees, may, while sick in hospital or while receiving medical aid as an out-door patient at the Station or Head-quarters of the District in which he serves, be allowed, at the discretion of the authority granting the leave, and in addition to any leave admissible to him under the Rules in this Supplement, leave of absence from duty for six months altogether in any one period of three years, whether such leave be taken in one period or by instalments. For the first three months of such leave, the officer may receive full pay, and for the remaining three months, half pay, without the restriction contained in Clause (*b*) of this Section, *viz.*, that no extra cost shall be imposed upon the State. Provided always that this concession shall be confined strictly to cases in which

* The Governor General in Council considers that Section 1 (*b*) of Supplement F to the Civil Leave Code authorises the grant of leave upon the condition therein stated, not only to a superior officer whose pay is less than a hundred rupees a month, but to an officer whose service is treated as inferior under Section 41 of the Civil Pension Code, upon the condition that the grant of the leave shall not impose any cost upon the State.—(*Financial Resolution No.* 2041, *dated* 26*th April* 1876.)

illness shall be certified not to have been caused by irregular or intemperate habits.

(NOTE.—A Police Officer, who under Section 110 (*b* 1) of the Civil Pension Code has elected to abide by Scale A in Section 109 of the said Code, cannot be admitted to the benefit of this *Exception* unless with the special permission of the Local Government.)

(3.) A Seaman disabled while in the discharge of duty, may be allowed pay at harbour rates for a period not exceeding three months, provided that the injuries from which he is disabled are certified to by a Government Medical officer, and are not owing to the Seaman's own carelessness or inexperience, and that the vacancy caused by his absence is not filled up.

1. Officers and men of the Army, and officers in the Subordinate Medical Department, are under military rules, and these rules do not apply to them. But a member of the Subordinate Medical Department in the warrant grade (Apothecary class), who under the operation of paragraph 46 of the G. G. O. of the Military Department, No. 550, dated 5th June 1868, is appointed to the grade of Assistant Surgeon, may count his service in the warrant grade towards leave under these rules, on the understanding that any leave taken by him during his employment as an officer of the Subordinate Medical Department in the warrant grade will be treated as if it had been taken under these rules.

2. The leave of members of the Pilot service in Bengal is governed by special rules.

3. A Police Officer who, under Section 110 (*b* 1) of the Civil Pension Code, has elected to abide by scale A in Section 109 of the said Code, is subject to the Leave Rules which applied to him before the abolition of the Police Superannuation Fund.

4. An officer appointed as probationer for a certain period before formal appointment, is entitled to the same leave as if he held a substantive appointment.

5. Service as an apprentice, or, in Bengal, as a Supernumerary Assistant Surgeon, does not qualify for leave; but a Supernumerary Assistant Surgeon may be allowed leave for six months in all on medical certificate without loss of allowances.

6. An officer holding a temporary or officiating appointment only, is not entitled to leave of any kind; but a limited amount of leave may be allowed to such an officer under the conditions hereinafter stated.

7. Service in an office to which the Leave Rules do not apply does not qualify for leave under them, in the event of the officer afterwards coming under them. Service under a Local Fund of the kind mentioned in Civil Pension Code, Section 31, may qualify for leave under the Rules, but the allowances given during such leave

must be disbursed from the Local Fund and from General Revenues in the proportion in which the salary has been paid from these sources during the period qualifying for the leave. Provided that, if less than one-fourth of the said allowances would under this Rule be payable from any source, the whole of the allowances shall be charged to the other source.

Section 2.—In these Rules, "pay" means substantive monthly pay; "salary" means the sum of monthly pay and acting allowance. Pay and salary.

1. Personal allowance is to be taken as part of an officer's substantive pay.

"Average salary" means the average salary for a month, calculated for so much of the three years immediately preceding the day on which the officer gives up office, as he has passed on duty, or on privilege leave. But, whenever leave is taken for not more than one month, or whenever the officer's pay is less than three hundred rupees, the pay of the officer's appointment at the time he gives up office is to be taken in lieu of his "average salary." Average salary.

"Half average salary" is always subject to a maximum of Rs. 500 a month if paid in India, and £150 a quarter if paid at the Home Treasury of the Government of India.

"One quarter average salary" is always subject to a maximum of Rs. 400 a month if paid in India, and £120 a quarter if paid at the Home Treasury.

Provided always that the allowance of an Officer during leave shall in no case exceed his actual salary when he takes leave.

LEAVE ON MEDICAL CERTIFICATE.

Section 3.—Leave on medical certificate may be granted, whenever sufficient cause is shewn, for three years in all, but not for more than two years at one time; and no officer can have leave on medical certificate out of India more than twice. Amount.

1. An officer who has a temporary or officiating appointment only may be allowed leave under this Section for not more than Temporary footing.

three months, if the Local Government considers no substitute to be necessary, or can provide for his duties without additional expense.

Allowances.

Section 4.—An officer on leave under Section 3 is entitled to half of his average salary for the first fifteen months of each period of absence, but not for more than thirty months in all. For the rest of his leave under Section 3 he is entitled to a quarter of his average salary.

LEAVE ON PRIVATE AFFAIRS.

Amount.

Section 5.—Leave on private affairs for six months at a time may be granted to an officer who has not had furlough. The first leave under this Section may be taken after six years' service, and the leave may be repeated after intervals of six years.

1. Leave on private affairs does not accumulate, nor can it be taken in instalments.

2. Leave on medical certificate counts as service for leave on private affairs.

Allowances.

Section 6.—An officer on leave under Section 5 is entitled to half of his average salary.

1. An officer does not forfeit the allowance to which he is entitled under this Section, by resigning the service at the end of the leave.

FURLOUGH.

Amount.

Section 7.—Furlough may be granted, as follows, to an officer who has not had leave on private affairs:—

After ten years' service;—one year or any less period, and thereafter, at intervals of not less than eight years, one year or any less period,

or

After eighteen years' service;—two years or any less period, and thereafter, at intervals of not less than eight years, one year or any less period.

Provided that not more than two years in all may be granted.

1. Leave on medical certificate counts as service for furlough.

2. Leave on private affairs under the Rules in force before the 8th June 1863, does not prevent the grant of furlough under this Section.

Sections 4—7.

Section 8.—An officer on furlough is entitled to half of his average salary. Allowances.

LEAVE WITHOUT ALLOWANCES.

Section 9.—Leave without allowances may, in case of necessity, be granted for such time as may be necessary. Time spent on leave under this Section does not count as service for other leave. There is no limit to the length or frequency of leave under this Section, and it may be granted in continuation of leave on medical certificate, and leave on private affairs or furlough, but not in continuation of privilege leave. Leave without allowances.

SUBSIDIARY LEAVE.

Section 10.—Subsidiary leave for such time as may be sufficient may be added to leave on medical certificate, leave on private affairs, or furlough, when taken out of India, as prescribed in Section 24 of the Code. Fourteen days only are allowed to an officer at a Presidency town, who takes leave on medical certificate, leave on private affairs, or furlough out of India, and embarks or debarks as the case may be at this town. Subsidiary leave may also be granted to an officer going on, or returning from, leave on medical certificate to a sanitarium in India. Amount.

Section 11.—An officer on subsidiary leave prefixed to other leave, is entitled to half his average salary. An officer on subsidiary leave following other leave, is entitled to half his average salary, or one quarter of his average salary, according to the rate of allowance to which he may be entitled at the end of the leave to which it is subsidiary. Allowances.

1. But see Code, Section 24, Rule 2, and Section 28 (*d*), Rule 1.

PRIVILEGE LEAVE.

Section 12.—Privilege leave may be granted in accordance with the rules in Chapter VII of the Code: provided that no officer whose salary is less than two hundred rupees a month can draw any allowances for time passed on privilege leave, until he returns to duty. Amount.

Supplement F.—Uncovenanted Officers generally.

1. An officer taking privilege leave, whose salary is less than two hundred rupees a month, may, with the special sanction of the head of his office, receive an advance not exceeding two months' salary, and, also, not exceeding the allowances which would become due to him for the whole period of leave on the expiration thereof.

Temporary footing

2. An officer who has a temporary or officiating appointment only, may be allowed privilege leave, if the Local Government considers no substitute to be necessary, or can provide for his duties without additional expense.

High Court Officer.

3. A ministerial officer of a High Court is not allowed privilege leave, if he is allowed to be absent during the High Court vacation.

Hospital assistant.

4. A Hospital Assistant employed in the Civil Department may, during the period of his service in that Department, be allowed privilege leave, provided that no extra expense is caused by the grant of the leave.

[NOTE.—A Hospital Assistant is not entitled to privilege leave in respect of duty done in the Military Department.]

Seaman.

5. An officer or Seaman attached to a Pilot or Light vessel at the Sandheads may, in addition to the privilege leave admissible under this Section, be allowed one month's leave on shore, beginning on the date of his arrival at Calcutta, after four months' continuous duty at the Sandheads.

6. A man transferred on or before the 3rd May 1861, from the Army or the Oudh Military Police, or any other military body, to the Oudh Civil Police, is allowed to accumulate privilege leave on full pay to the extent of six months if his home is east of the river Indus, and seven months if his home is west of that river.

EXAMINATION LEAVE.

For higher subordinate appointment.

Section **13**.—An officer permitted to present himself at any examination which must be passed before a person is eligible for a higher subordinate appointment, such as a Deputy-Magistracy, may, under the orders of the Local Government, be allowed leave of absence for the number of days which is actually necessary to enable him to attend at the examination. During this absence, which is expected to be short, no deduction will be made from the officer's allowances, unless the head of the office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such leave should not be allowed more than twice for each standard of examination.

Section 13.

Section 14.—The master of a Government school in Bengal in receipt of a salary not exceeding two hundred rupees a month while absent from his office with the object of studying to qualify himself as a teacher of surveying is considered to be absent on duty or on special deputation; provided that such period of absence shall not exceed three months. To study for surveying.

GENERAL.

Section 15.—Leave on private affairs and furlough cannot be taken in continuation of any leave except subsidiary leave; but any leave may be retrospectively changed for any other kind or amount of leave which might at first have been granted; and, if an officer absent on privilege leave, or on leave on private affairs, or on furlough, take extension of leave on medical certificate, the whole of the absence will be treated as leave on medical certificate. Accumulation of leave.

1. Leave without allowances cannot be converted retrospectively into leave on medical certificate; but leave on medical certificate may be given in continuation of leave without allowances.

Section 16.—No officer's appointment becomes vacant, simply by reason of his taking leave under these Rules. But absence without leave, or after the end of leave (excepting privilege leave, in which case a week's grace is allowed) involves loss of appointment; and after five years' continuous absence, whether with or without leave, an officer is considered to be out of Government employ. Lien on appointment.

1. The Secretary of State, in granting to officers extension of leave, sometimes declines to guarantee retention of appointment, if there is no time to communicate with the Local Government in India

2. An officer who goes on leave out of India has no claim to return to the *particular* local appointment from which he took leave.

APPLICATIONS FOR LEAVE.

Section 17 (*a*).—Leave may be granted to an officer by the authority whose duty it would be to fill up Applications for leave.

his appointment if vacant. The Local Government may empower heads of Departments to grant privilege leave to officers under their orders, who are appointed by Government; but if the officer, to whom leave is granted, be a gazetted officer, the grant of leave must be reported to the Local Government.

Monthly return.

(*b*).—A monthly return of non-gazetted officers absent on leave should be prepared in the form given in the Appendix to this Supplement, and should accompany each establishment pay bill:—

Medical certificate.

1. (*a*).—Applications for leave, or extension or commutation of leave, on medical certificate, must, in the case of a superior officer, be accompanied by a statement from the applicant's medical attendant, distinctly stating from personal observation the nature of the illness, its symptoms, causes, and duration.

(*b*).—A certificate must also, in the case of a superior officer, be submitted from the chief Medical Officer of the Station or District, or, if the officer is at the Presidency, from a Presidency Surgeon, to the effect that, after careful personal investigation, he considers a certain period of absence absolutely requisite for the restoration of health.

(*c*).—If the leave be for more than six months, the papers must, in the case of a superior officer, be submitted for countersignature by the Deputy Surgeon-General; and if the leave is to be taken out of India, by the Surgeon-General also, unless danger be incurred by the delay.

It is not necessary that the applicant for leave should appear in person before the Deputy Surgeon-General, unless that officer call upon him so to appear. The Deputy Surgeon-General should only call upon an applicant from a distant Station to appear for very special reasons.

(*d*).—If the applicant be already on leave out of India, the certificate under Clause (*a*) must state the period during which the Surgeon or Physician has attended the officer, and it must be countersigned, after *personal* examination, by the Medical Board of the India Office, or by the principal medical authority of the Colony or Country where the absentee may be.

(*e*).—The forms of certificate prescribed in the Code, Section 38, Rules 2 to 9, may be used as far as they are applicable.

Section 17.

Supplement G.—Port Blair Police.

APPENDIX TO SUPPLEMENT F REFERRED TO IN SECTION 16 (*b*).

FORM.

Name of absentee.	ost held by absentee	Pay of absentee.			Nature and term of leave granted												Actual Date of				Excess of pay over leave allowance for days of actual absence in month.			Name of every person acting in higher post by reason of absence herein noted	Acting allowance of each acting officer			Total consequent on each absence			Excess charge			Remarks.
					Sick, Section 3		Private affairs, Section 5		Furlough, Section 7		Privilege, Section 12		Other leave Section 9, 10 or 13				Departure		Return.															
					Months	Days	Months	Days	Months	Days	Months.	Days	Months	Days			Month	Day	Month	Day														

Certified that all leaves granted to any person in superior service on this establishment, and the total absence on such leave, or without leave during the month and temporary appointments and promotions consequent on such absence, are detailed in the above statement, that no leave has been granted until, by reference to the applicant's Service-book and to the Civil Leave Code I had satisfied myself that it was admissible, and further, that all grants of leave, and departures on, and returns from, leave, and all appointments and promotions, temporary or permanent, have been recorded in the Service-book of the persons concerned under my initials

N B —When leave is granted under Section 9, 10, or 13 *the particular Section should be noted across the other columns.*

[NOTE —The duty of signing this certificate may be delegated by the head of a Department or a Secretary to Government to the Chief Assistant or Registrar of his office.]

SUPPLEMENT G.

PORT BLAIR POLICE.

I.—Privilege leave to the men may be granted as under:— Privilege leave.

2 months after 30 months' consecutive service.
3 „ „ 36 „ „ „

Such leave cannot be claimed as a right, and will only be granted when it can be given without inconvenience to the public service.

Supplement G.—Port Blair Police.

During privilege leave full pay is admissible.

Sick leave

II.—Sick leave on full pay is granted for fifteen days, after which the men will receive subsistence as under:—

Constables...	...	Rs. 6 per mensem.
Serjeants ...	...	„ 10 „
Chief Constables	...	„ 15 „
Inspectors	...	Two-thirds of salary.

Furlough.

III.—Furlough to unmarried men, or men whose families will remain at their homes in India, will be given in turn after five years' continuous service in the Settlement.

Furlough will also be given, in special cases, at the discretion of the Superintendent, to married men having their families at the Settlement, after a continuous service of not less than five years.

IV.—Such furlough will carry with it half pay, and will be for periods of from four to six months according to the distance of the applicant's home from Calcutta.

V.—Leave-men proceeding to India will be employed, ordinarily, on the voyage in guarding transferred convicts, and when not required for the purpose, they will be granted deck passages at the expense of Government.

VI.—From the port of debarkation they will proceed to their homes at their own expense, and on the expiration of their furlough they will report themselves to the Commissioner of Police, Calcutta, with a view to their employment as convict guards on the return voyage. If not required for this purpose, they will be granted a deck passage at the public expense.

VII.—The total number of men on leave at one time from all causes other than privilege leave shall not exceed ten per cent. of the Force.

VIII.—Absence without leave is punishable by dismissal or forfeiture of pay.

Rules II—VIII.

THE ACTING ALLOWANCE CODE.

FORT WILLIAM.

FINANCIAL DEPARTMENT.

The 1st December 1876.

FROM the date of the publication of this the third authorised edition of THE ACTING ALLOWANCE CODE, the second edition, and all notifications and orders thereunder, become obsolete.

This third edition only should hereafter be quoted.

By order of the Governor General in Council,

R. B. CHAPMAN,
Secretary to the Government of India.

THE ACTING ALLOWANCE CODE.

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THE ACTING ALLOWANCE CODE.

CHAPTER I.

DEFINITIONS AND EXPLANATIONS.

Section 1.—In this Code, unless there be something repugnant in the subject or context—

(*a*). "Local Government" includes a Department of the Government of India, a Chief Commissioner, the Resident at Hyderabad, and the Agents to the Governor General in Rajputana and Central India. Local Government.

(*b*). Appointments are said to be in the same "class" when they are in the same Department, and bear the same designation, or have been declared by the Government of India to be in the same class. Appointments in the same *class*, are sometimes divided into *grades* according to pay. Class and grade.

(*c*). An "absentee" is an officer absent, whether on leave or on duty, from an appointment on which he has a lien. Absentee.

(*d*). Except in Chapter IX, the words "the appointment" mean "the appointment in which an officer is officiating for an absentee."

(*e*). "Covenanted Civil Service" means the Bengal, Madras and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a Member of the Covenanted Civil Service.

(*f*). A "Local Allowance" is an allowance, not specially declared to be "pay" or "salary," given to an officer in addition to the regular pay or salary of his appointment, either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work. A local allowance is given in full to the officer actually present on duty, and is not taken into account in calculating leave allowances or pension. *(But see Rule 4 under Section 34, Civil Leave Code.)* Local allowance.

Section 2 (*a*).—The "pay" of an *officer* is as follows:— Pay and salary.

(1.) In the case of an officer with a substantive appointment:—
the amount which he would receive, monthly, under

any of the following designations, if he were doing the work of his substantive appointment:

Substantive pay,
Consolidated pay,
Military pay and allowances and staff salary,
Staff corps pay and staff salary.

(2.) In the case of an officer without a substantive appointment:—his monthly subsistence-allowance (if a Covenanted Civil Servant); and his military pay and allowances, or staff corps pay (if a Military Officer).

(*b*).—The "pay" of an *appointment* with reference to any officer, is the pay which he would receive monthly if he held the appointment substantively.

Example.—If the pay of the appointment is subject to increase upon the passing of an examination or upon the completion of a certain period of service, the officiating officer's allowances are calculated upon the pay which he would from time to time receive, if he held the appointment substantively.

(*c*).—"Salary" is the sum of "pay" and "acting allowance;" it does not include personal allowances, travelling allowances, local allowances, or the like.

(*d*).—"Progressive pay" is pay which, upon the good behaviour of an officer, rises, by periodical increments, from a minimum to a maximum.

(*e*).—"Consolidated pay" includes military pay and allowances or staff corps pay, which cannot be separately drawn.

(*f*).—"Staff salary" is an allowance to a Military Officer in addition to the military pay and allowances or the staff corps pay of his rank.

CHAPTER II.

GENERAL RULES.

Maximum and minimum.

Section 3 (*a*).—The maximum salary of an officiating officer is the pay of the appointment.

(*b*).—The minimum salary of an officiating officer is half the pay of the appointment.

Section 3.

Section 4.—If an absentee draws no part of the pay of his appointment, another officer may be appointed thereto substantively, for a time only, on full pay, without disturbing the lien of the absentee. The full pay of an officer thus appointed substantively, for a time only, may, in like manner, be given to a substitute appointed substantively, for a time only, and such appointment need not disturb the lien, on the appointment, of the officer in whose place the substitute is appointed. Seconding.

1.—An absentee who receives leave allowances, draws, within the meaning of this Section, "part of the pay of his appointment;" and this Section is not to be construed as conflicting with Rule 1, under Section 16 (*b*) of the Civil Leave Code.

2. A substantive appointment may be made under this Section for a time only in the place of a Military Officer in Civil Employ whose appointment would be forfeited under Military Furlough Rules but for the operation of Rule II of the rules published with the General Order of the Government of India in the Military Department No. 171, dated the 25th February 1874.

3. Full pay is not to be drawn under this Section as a matter of course, or unless the officer claiming it is, by proper authority, formally appointed to the office substantively for a time.

Section 5.—If the substantive appointment of an officer is changed while he is officiating in an appointment; or if, while so officiating, an officer is appointed, for the first time, to some substantive office; then, provided that his tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it, from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant. Pay drawn without joining

---

CHAPTER III.

THE COVENANTED CIVIL SERVICE.

Section 6 (*a*).—An officer with a substantive appointment, officiating in another appointment or in a higher grade, is entitled to an acting allowance of one-fifth of the pay of the appointment or grade. Officers with substantive appointments.

(*b*).—But the acting allowance shall not be less than two-thirds of the difference between the pay (or, in the case of a progressive pay, the minimum pay) of the appointment or grade, and the pay of the officiating officer.

(*c*).—Nor shall it be less than Rs. 200.

Settlement officers.

I. In the North-Western Provinces, when a Settlement Officer officiates in an appointment in another Department, his salary shall be calculated as if his pay were the pay of the ordinary grade next below the standing which he occupies in the Settlement Department.

Explanation.—An officer officiating in a class divided into grades will officiate in the lowest grade, unless it be otherwise specially ordered.

[*Illustration.*—A is Magistrate, in the first grade, of Nuddea: B is Magistrate of Midnapore, the senior in the second grade: C is a Joint Magistrate. If A takes leave, then, in ordinary course of promotion, B would obtain officiating promotion to the first grade without leaving Midnapore, and C, appointed to officiate as Magistrate of Nuddea, would officiate in the second grade.]

Officer without a substantive appointment.

Section. 7.—An officer without a substantive appointment is entitled to an acting allowance of half the pay of any appointment in which he officiates, and to subsistence allowance.

[NOTE.—For rates of subsistence allowance, see Civil Leave Code, Section 19, Rule I.]

CHAPTER IV.

MILITARY OFFICERS IN CIVIL EMPLOY (NOT BEING IN THE PUBLIC WORKS (INCLUDING THE RAILWAY REVENUE ESTABLISHMENTS), THE SURVEY, OR THE FOREST DEPARTMENT).

Specification of cases

Section 8.—The cases which may occur are these:—

(*A*). An officer officiating in an appointment of which the pay is consolidated may be—

Case 1.—An officer without a substantive appointment.

Case 2.—An officer having a substantive appointment the pay of which is consolidated.

Case 3.—An officer having a substantive appointment the pay of which is a staff salary.

(*B*). An officer officiating in an appointment of which the pay is a staff salary may be—

Case 4.—An officer without a substantive appointment.

Case 5.—An officer having a substantive appointment the pay of which is consolidated.

Case 6.—An officer having a substantive appointment the pay of which is a staff salary.

1. An appointment of which the pay is fixed with reference to its being held by a Civil Officer, Covenanted or Uncovenanted, is treated, for the purposes of this Section, as if the pay of it were "consolidated."

Appointments on consolidated pay.

Section 9.—In *Case* 1 the officer is entitled to his pay. If his pay is less than the following assumed subsistence allowance added to half the pay of the appointment, then the officer is entitled, besides his pay, to such acting allowance as will make the total equal to the sum of the following assumed subsistence allowance added to half the pay of the appointment:—

Assumed subsistence allowance.

	Rs.	
For an officer of the rank of Captain or Subaltern	250	a month.
For an officer of the rank of Major	320	"
For higher ranks	400	"

Appointments on staff salary.

Section 10.—In *Cases* 2 and 3 the acting allowance is regulated by Section 6.

Section 11.—In *Cases* 4, 5, and 6, the salaries are calculated by Military Rules *: any excess of the consolidated pay of the substantive appointment in *Case* 5, over the military pay and allowances or the staff corps pay of the officer, being treated as a staff salary.

* The Military Rules referred to are as follow:—

(1).—For officers who have elected the Rules of 1868:—

An officiating officer will draw half the staff salary of the appointment and half the staff salary of his substantive appointment (civil or military) if he have one: provided that the whole staff salary thus drawn shall be not less than Rs. 100 a month unless the full staff salary of the post in which he is officiating is less than that sum. After he has officiated in the appointment for six months he may draw the full staff salary of it if the full staff salary is available.

(2).—For officers who have elected the rules of 1854:—

An officiating officer will draw half the staff salary of the appointment. After acting for six months, whether continuously or not, in the same post or grade, he is entitled to the full staff salary, as soon as the absentee ceases to draw any part of it.

Medical appointments.

Section 12 (*a*).—As an exception to Sections 9 and 10, the allowances of a Commissioned Medical Officer, officiating in an appointment the pay of which was fixed by General Order of the Government of India in the Military Department, No. 370, dated the 4th April 1867, shall be regulated by Section 11, on the assumption that the pay of the appointment is a staff salary equal to the difference between the officiating officer's unemployed pay and the consolidated pay he would receive if he held the appointment substantively.

(*b*).—Provided that, if the officer was appointed to the Medical Service before the 7th November 1864, he shall receive an aggregate salary not less than his full batta pay.

[NOTE.—If a Military Officer officiating in a military appointment has a substantive appointment in the Civil Department, he shall draw in the Military Department the allowances to which he would have been entitled under Military Rules had his substantive appointment been an appointment in the Military Department.]

CHAPTER V.

THE PUBLIC WORKS DEPARTMENT

[ENGINEER ESTABLISHMENT, SUPERIOR RAILWAY REVENUE ESTABLISHMENTS, AND SUPERIOR OFFICERS OF ACCOUNTS BRANCH].

[NOTE.—These Rules do not apply to cases of *temporary promotion*, which is given when officers obtain leave which is not privilege leave and which causes a vacancy likely to last more than three months. In such cases the officer temporarily promoted is entitled, so long as the promotion lasts, to the same pay as if he held the appointment substantively.]

No officiating in grades.

Section 13 (*a*).—An officer of a class divided into grades cannot officiate, in this class, in a grade higher than that to which he is substantively appointed.

(*b*).—An officer officiating in a rank which is divided into classes, or in a class divided into grades, will officiate in the lowest class or grade; but this Rule does not apply to an officer officiating in an appointment of which the substantive holder must belong to a particular class.

Officers with substantive appointment.

Section 14 (*a*).—An officer with a substantive appointment, officiating in a higher class or in another appointment, is entitled to an acting allowance, in addi-

tion to his pay, of one-fifth of the civil pay of the class or appointment in which he officiates.

(*b*).—A Civil Officer without a substantive appointment is entitled to an acting allowance of half the civil pay of the class or appointment in which he officiates. A Military Officer, without an appointment, is entitled to his pay, and to such acting allowance as will make the total equal to the sum of the assumed subsistence allowance stated in Section 9, added to half the civil pay of the class or appointment in which he officiates.

Explanation.—The civil pay of the graded class is the average civil pay of the grades (calculated without reference to the number of appointments in each grade); but the officiating officer's salary shall not exceed the pay of the lowest grade.

1. The net military pay of an officer of the Royal Engineers is not taken into account in calculating acting allowances. He is entitled to this pay independently of any other allowance.

Section 15.—In the following cases, special allowances are given, on sanction by the Local Government, or, if the appointment be under a Chief Commissioner or an Agent to the Governor General, or under the Resident of Hyderabad, or the Chief Commissioner of the Andaman and Nicobar Islands, by the Government of India:

(*a*).—A Subordinate officiating as an Executive Engineer, is allowed Rs. 100 a month in addition to his pay, provided that his salary must not exceed the pay of an Executive Engineer of the 4th grade. Subordinates.

(*b*).—A Subordinate officiating as an Assistant, is allowed Rs. 50 a month in addition to his pay. This allowance is not admissible on the mere circumstance of the Subordinate holding a charge formerly held by an Assistant, but only when the charge involves duties and responsibilities which, in character or extent, are such as are not usually imposed on Subordinate Officers.

(*c*).—An Accountant officiating for a Controller or Deputy Controller, is entitled to draw an allowance of

Rs. 100 a month in addition to his pay, provided that his salary must not exceed the pay of a Deputy Controller.

(*d*).—Acting allowance will not, as a rule, be granted to an Accountant officiating as an Assistant Controller. When by a special order of the Government of India it is granted, it will not exceed Rs. 50 a month.

CHAPTER VI.

THE SURVEY DEPARTMENT

[OFFICERS NOT BELOW THE RANK OF ASSISTANT SURVEYOR IN THE SURVEY DEPARTMENT UNDER THE SURVEYOR GENERAL IN INDIA].

Survey department.

Section **16**.—An officer officiating in the grade immediately above his own, is entitled to the same allowances as if he were confirmed in that grade.

Section **17**.—An officer officiating in a grade higher than that immediately above his own, is entitled to an acting allowance, in addition to his pay, of one-fifth of the civil pay of the grade in which he officiates.

Section **18**.—An officer without a substantive appointment, is entitled to an acting allowance, in addition to his pay (if any), of half the civil pay of the grade in which he officiates.

CHAPTER VII.

OTHER OFFICERS.

Section **19**.—The following are the rules applicable to officers in Civil Employ who are

not members of the Covenanted Civil Service,

nor Commissioned Officers in the Army,

nor in the Public Works (including Railway Revenue Establishments) and Survey (India) Departments, unless they are officiating in appointments below the rank of Assist-

ant Engineer, or Assistant Controller, or Assistant Surveyor, or in the case of Railway Revenue Establishments in classes lower than class IV.

nor officers of the superior establishment of the Forest Department, whose acting allowances are regulated by the special rules contained in Extract 1 in the Appendix,

nor Law Officers, for the Rules regarding whose acting allowances, see Supplement C, Civil Leave Code.

Officers with substantive appointments.

Section 20 (*a*).—An officer with a substantive appointment, officiating in an appointment which is open to, and may in practice be held by, a Covenanted Civil Servant or an Officer of the Army, is entitled to the acting allowance defined in Section 6.

Examples of the appointments referred to.—The appointments of Postmasters-General and Judges of Small Cause Courts of the first class in Bengal, *viz.*, the Small Cause Courts in Calcutta and Sealdah, the Principal Court in Jessore, and the Courts in Magoorah, Jhenida, Narail, Hooghly, Serampore and Howrah.

Exception.—The above Section (20 (*a*)) does not apply to the cases of officers officiating in appointments in the classified list of the Financial Department.

(*b*).—An officer with a substantive appointment officiating in an appointment to which clause (*a*) does not apply, and of which the pay is not less than Rs. 100, is entitled to an acting allowance of one-fifth of the pay of the appointment: Provided that, except in the Post Office Department, no officer may, under this Clause, be appointed to officiate in a higher grade of his own class.

[NOTE.—For definition of "grade" and "class" as here used, see Section 1 (*b*).]

Examples of the appointments referred to.—Extra Assistant Commissionerships, Judgeships of Small Cause Courts in Bengal, not mentioned in the example under Section 20 (*a*), and the Subordinate Judgeships with which they are classed.

No officiating in grades.

1. In the Public Works Department no increased allowances are admissible to an officer of the Upper Subordinate establishment, or to a Sub-Overseer, for performing duties previously entrusted to one of a higher grade in either of the subordinate establishments.

Munsiffs in Madras.

2. In Madras the first, second, and third grades of Munsifships are treated as distinct *classes*.

Graded appointments.

Explanation.—The pay of an appointment which belongs to a graded class and is not such as is described in Clause (*a*) of this Section, is the average pay of the grades, calculated without reference to the number of appointments in each grade; but the officiating officer's salary shall not exceed the pay of the lowest grade, unless he belongs to another Department, and is specially appointed to officiate in a grade other than the lowest.

[NOTE —This explanation does not apply to appointments in the Post Office Department.]

Officers without substantive appointments

Section **21** (*a*).—An officer without a substantive appointment, officiating in an appointment the pay of which is not less than Rs. 100, is entitled to an acting allowance of half the pay of the appointment.

See explanation under Section 20.

Appointments of less than Rs 200.

(*b*).—If the pay of the appointment is less than Rs. 200, and the Local Government considers that the acting allowances admissible by Rule are insufficient, it may grant to the officiating officer higher allowances, not exceeding the difference between the pay of the appointment and the portion of it drawn by the absentee for whom he officiates.

Appointments of less than Rs 100

Section **22** (*a*).—The salary of an officer officiating in an appointment of which the pay is less than Rs. 100 should, as far as practicable, be regulated by Sections 20 (*b*) and 21 (*a*).

(*b*).—If an officer officiating in such an appointment has a substantive appointment his salary must in no case *exceed* what it would be if Section 20 (*b*) were exactly applied.

(*c*).—If he has no substantive appointment, the officer who appoints him may grant him such allowance, not exceeding the pay of the appointment, as he considers necessary.

Provided always that the absentee allowances of an officer whose pay is less than Rs. 100, must not exceed the difference between his pay and the sum of the acting allowances paid in consequence of his absence. (*See Civil Leave Code, Supplement F, Section* 1.)

[NOTE.—This proviso does not apply to the cases noted as *Exceptions* (1) and (2) under Section 1 of Supplement F to the Civil Leave Code.]

CHAPTER VIII.

PLURAL APPOINTMENTS.

[NOTE.—This Chapter applies to all officers employed in the Telegraph Department, except as to cases provided for in Rule VIII of the Telegraph Code, Chapter D.] (*See Extract* 2 *in the Appendix.*)

Two or more appointments.

Section **23.**—The salary of an officer holding substantively, or officiating in, two or more independent appointments at one time, is regulated as follows:—

(*a*).—He draws the highest salary to which he would be entitled if he held, or, as the case may be, officiated in, any one of the appointments alone:

(*b*).—For the other appointment, or appointments, he draws such allowances as the Local Government may fix, not exceeding, for each appointment, half the salary which he would draw if he held or, as the case may be, officiated in it alone:

(*c*).—Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. This Proviso may be dispensed with, if the Local Government declares that, for special reasons (to be communicated to the Supreme Government), it is necessary, on public grounds, to entrust to the one officer the duties of the several offices at once, and that the salary to which he would be limited by this proviso is not enough.

[*Illustration.*—A Covenanted Civil Servant holding a substantive appointment, A, of which the pay is Rs. 1,000, is appointed, without being relieved of his own duties, to officiate in two appointments, B, of which the pay is Rs. 1,600, and C, of which the pay is Rs. 2,200.

	Rs.
If he held A only he would draw	1,000
If he officiated in B only, he would draw pay Rs. 1,000, and acting allowance Rs. 400 ...	1,400
If he officiated in C only, he would draw pay Rs 1,000, and acting allowance Rs. 800 ...	1,800
He will therefore draw for C (which carries the highest salary)	1,800

And, but for proviso (*c*), he would be entitled, for B and A, to such allowances as the Local Government may fix, not exceeding Rs. $\frac{1,400}{2}$=700 for B, and $\frac{1,000}{2}$=500 for A.

But, in consequence of this proviso, his aggregate salary must be limited to Rs. 2,200 (the pay of appointment C), unless the declaration prescribed in Rule 1 be made.]

Exceptions.

Section 24 (*a*).—Section 23 does not apply to the case of an officer officiating at the same time in two or more appointments which are, ordinarily, held substantively by one individual. In such case, the two appointments shall, for the purpose of calculating acting allowances, be treated as one appointment upon the aggregate pay.

(*b*).—Nor to the case of an officer discharging the duties of more than one appointment in the same office, or on the same establishment. An officer so employed, is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

EXAMPLES.—One Under-Secretary discharging the duties of a fellow Under-Secretary in the same Office or Department as well as his own.

A Joint Magistrate appointed, in addition to his own duties, to officiate as Magistrate of the District. In this case he gets allowances only as officiating Magistrate of the District.

A District Judge deprived of the help of an Additional or Assistant Judge, and therefore doing the Additional or Assistant Judge's work.

A Joint Magistrate doing the work of a second Joint Magistrate in the District as well as his own.

A clerk doing the duties of another clerk in the same Office.

A Director of Public Instruction doing the work of one of his Inspectors, or one Inspector in the Educational Department doing the work of a fellow Inspector, in addition to his own.

(*c*).—Nor does the Section affect local allowances given for the performance of separate duties.

1. A Regimental Medical officer appointed to act as Civil Surgeon of a station without relinquishing his regimental duties, is entitled to an acting allowance of one hundred rupees a month. With this exception, the allowances for the additional charge of an appointment of the kind described in Section 12 are regulated by Military Rules and not by this Code.

Charge of current duties.

Section 25.—When an officer is appointed to be in charge of the current duties of an office, and the charge, in the opinion of the Local Government, entails a substantial increase of responsibility and some additional work, he is entitled to a charge allowance, to be fixed by the Local Government, not exceeding one-tenth of

the pay of the office. If the office is open to, and may in practice be held by, a Covenanted Civil Servant or a Commissioned Officer of the Army, the allowance shall not be less than Rs. 100 a month. Provided that the salary of an officer appointed to be in charge of the current duties of an office, shall never exceed the salary which he would receive for officiating in the office.

Exceptions—(1).—When a Subordinate Judicial officer is placed in charge of a District Judge's Office, or when an officer is placed in charge of a Political Agency, the charge allowance is fixed at Rs. 150 a month.

(2).—An Upper Subordinate in the Public Works Department placed by competent authority in charge of the current duties of an Executive Engineer's office in addition to his own duties, draws an allowance of Rs. 50 per mensem in addition to his own salary within the limit of the pay of an Executive Engineer, fourth grade. Any other officer of the Public Works Department, appointed without being relieved of his own duties, to be in charge of the current duties of an office of higher class than his own, may be permitted to draw a charge allowance of one-tenth of the pay of the higher class.

(3).—An Executive Engineer in charge of two Divisions may, as a special and temporary arrangement, receive a charge allowance of Rs. 100 a month.

(4).—A Sub-Assistant Patrol of the Inland Customs Department, when placed in charge of a beat owing to the absence on leave of a Patrol or an Assistant Patrol, is entitled to a charge allowance of Rs. 15 a month.

(5).—Whenever the administrative and medical charges of a Central Jail are not united, the officer appointed to the medical charge of the jail is entitled to an allowance of Rs. 100 a month, or, in special cases at the discretion of the Local Government, Rs. 150 a month; provided always that the aggregate cost for the administrative and medical charges shall not exceed the total pay payable for the combination of the two charges in one person.

(6).—A talati (village Accountant, Bombay) placed in charge of the duties of a fellow-talati in addition to his own duties, is entitled to allowances as follows:—

(*a*).—If the talati whose duties he performs in addition to his own receives fixed pay:—such portion of that fixed pay, not exceeding one-half, as the Collector of the District may determine.

(*b*).—If the talati whose duties he performs in addition to his own is remunerated by a percentage on the revenue :—such portion of such percentage as the Collector may determine.

Provided always that no extra expense shall be caused to the Government by the arrangement.

1.—No allowance is admissible under this Section unless the incumbent has actually given over charge of the office under the orders of competent authority, and is absent on leave or deputation. For instance, no allowance is admissible to a subordinate officer empowered to dispose of routine business while his superior is on tour.

2.—No allowance is admissible to a magisterial or other non-medical officer for the executive charge, either permanently or temporarily, of a District Jail.

Section **26**.—When a Military Officer is appointed to officiate in a civil office, without being relieved of military duty, his allowances for his civil duties are regulated by the Rules in this Code, and drawn in the Civil Department, and his allowances for military duties are drawn in the Military Department under Military Rules.

CHAPTER IX.

APPOINTMENTS ON PROGRESSIVE PAY.

Section **27** (*a*).—When an officer is first appointed (whether the appointment be substantive or officiating) to an office of which the pay is progressive, and the minimum pay is not less than Rs. 100, the pay of the appointment shall, for the purpose of calculating his salary, be ascertained by counting towards the increment, any excess over one year in the period immediately preceding the date on which the appointment takes effect, during which the officer's pay, has been continuously,—

(1) if progressive, or subject to increase on passing an examination,—at its maximum, and

(2) not less than the minimum pay of the appointment.

Provided that not more than a year can be counted under this Section.

(*b*).—If the minimum pay of the appointment is less than Rs. 100, no time can be counted towards the increments before the date on which the appointment takes effect.

Example.—A. B. had since the 1st July 1870 been drawing the maximum pay (Rs. 600) of his appointment. On the 1st December 1871 he was appointed to officiate in an office the pay of which rises from Rs. 600 to 800. Under this Section he counts five months out of the seventeen intervening between the 1st July 1870 and the 1st December 1871. This Section, however, does not fix his salary, but only determines one of the elements necessary for its calculation.

Section 28.—After an officer's first appointment, the pay of the appointment shall, for the purpose of calculating his salary, be ascertained by counting towards the increments (in addition to any time admissible under Section 27)—

i. Any time, whether continuous or not, during which he has officiated in the appointment, and during which—

(1) his pay, if progressive—or subject to increase on passing an examination, has been at its maximum, and

(2) his salary has been not less than the minimum pay of the appointment.

Provided that when the minimum pay of a higher class is equal to the maximum pay of a lower class, of which the pay is progressive, an officer whose substantive appointment is in the lower class, can under no circumstances, begin to count time for increments in the higher class until his pay has been, for one year, at its maximum.

Example.—C. D. holds an appointment of which the pay rises from Rs. 400 to Rs. 600. His pay on the 1st January 1873 is Rs. 550: on the 1st June he obtains the maximum pay of Rs. 600. He is appointed in February 1873 to officiate in an appointment of which the pay rises from Rs. 600 to Rs. 800. He cannot begin to count time in this appointment until the 1st June 1874 when his substantive pay will have been at its maximum for one year.

ii. Any time during which he has held the appointment substantively.

Example.—A. B. (the officer in the example under Section 27) will, under this Section, count the time subsequent to 1st December 1871, during which he is officiating in the appointment. But this Section, like the last, does not, of itself, fix his salary.

Section 29 (*a*).—If the officer is officiating in the appointment, his acting allowance shall be calculated Rule for calculating salary.

on the mean pay of the appointment; his maximum salary shall be the pay of the appointment as fixed in accordance with Sections 27 and 28; and his minimum salary shall be half the mean pay of the appointment.

(*b*).—If the officer holds the appointment substantively, his pay shall be the pay of the appointment as fixed in accordance with Sections 27 and 28.

Example.—The "pay of the appointment," as fixed for A. B. in the example under Section 27, is—

From December 1st, 1871	...	Rs. 600 and
From July 1st, 1872 ...	...	„ 650 and
From July 1st, 1873 ...	...	„ 700 and
From July 1st, 1874 ...	...	„ 750, and so on.

If he officiates only he gets Rs. 740 (*i. e.* Rs. 600 + $\frac{700}{3}$), limited at first to Rs. 600, after the 1st July 1872 to Rs. 650, and after the 1st July 1873 to Rs. 700. But, after the 1st July 1874, he will draw the full Rs. 740, as the limit is then Rs. 750.

If he, at any time, obtains the appointment substantively, he gets the full pay above stated.

1. The following special Rules apply to the Post Office Department:—

(*a*). Unless otherwise specially ordered by the Director General, an officer can count time only under Section 28, and can count under part i. of that Section only so much as is continuous.

(*b*). An increment of salary accruing in any other month than March must be postponed until the 1st of March next following.

Section **30**.—An officer may, by excluding a previous appointment, count a subsequent appointment as the "first" appointment under these Rules.

Example.—E F, who had been drawing the maximum pay of his substantive office from the 1st January 1869, was appointed to officiate from the 1st January to the 31st March 1870 in an office on progressive pay, the minimum of which is the same as his maximum pay. He is again appointed to officiate in the higher office from the 1st January 1872, and is entitled, under Section 28, to count towards increments of salary the *three months* of his first officiating tenure. But if the appointment in 1872 were his "first" appointment to officiate in the higher office, he would be entitled under Section 27 to count *one year* towards increments of salary. E. F. is allowed to ignore his appointment in 1870, and count his second appointment as if it were his first.

Section **31**.—In Departments in which the pay is regulated according to Classes, an officer may count, under Section 28, any time during which he has officiated in a higher Class, as if he had during that time officiated

in any lower Class. Time thus counted cannot be afterwards counted towards an increment in the higher Class.*

Section **32**.—Time spent on leave with allowances counts towards increments in the same manner as if during it the officer had actually held or officiated in (as the case may be) the appointment on which he has a lien. Time spent on leave

Section **33**.—Time passed under suspension does not count towards increments, if the suspension is a penalty for misconduct; but an officer, in directing reinstatement of a person who has been suspended, may declare that the time shall count. Suspension.

CHAPTER X.

EXCEPTIONAL CASES.

Section **34**.—The salary of a person appointed to be a temporary Member of the Executive Council of the Governor General, or of the Governor of Madras or Bombay, is regulated by Act of Parliament, Section 27 of 24 & 25 Vic., Cap. 67, as follows: Members of Council.

Section 27.—If any vacancy shall happen in the office of an Ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, when no person provisionally appointed to succeed thereto shall be then present on the spot, then, and on every such occasion, such vacancy shall be supplied by the appointment of the Governor General in Council, or the Governor in Council, as the case may be; and until a successor shall arrive, the person so nominated shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall have, and be entitled to, the salary and other emoluments and advantages appertaining to the said office during his continuance therein, every such temporary Member of Council foregoing all salaries and allowances by him held and enjoyed at the time of his being appointed to such office; and if any Ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, shall, by any infirmity or otherwise, be rendered incapable of acting or of attending to act as such, or if any such Member shall be absent on leave, and if any person

* The rules in Sections 27 and 31 were first promulgated in the Acting Allowance Code, dated the 1st August 1871.

Section 31 may be applied in fixing the salaries of officers in the appointments which they were holding on the 1st August, but no back pay before the 1st can be drawn in consequence of the permission given by it.

Section 27 can be applied only in fixing the salaries of officers in appointments made on or after the 1st August 1871, but any officer holding an appointment on the 1st August 1871, may count that appointment as if it had been first" made on that date.

shall have been provisionally appointed as aforesaid, then the place of such Member absent or unable to attend shall be supplied by such person, and if no person provisionally appointed to succeed to the office shall be then on the spot, the Governor General in Council, or Governor in Council, as the case may be, shall appoint some person to be a temporary Member of Council, and until the return of the Member so absent or unable to attend, the person so provisionally appointed by the Secretary of State in Council, or so appointed by the Governor General in Council, or Governor in Council, as the case may be, shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall receive half the salary of the Member of Council whose place he supplies, and also half the salary of his office under the Government of India, or the Government of either of the presidencies, as the case may be, if he hold any such office, the remaining half of such last-named salary being at the disposal of the Government of India, or other Government as aforesaid: provided always that no person shall be appointed a temporary Member of the said Council who might not have been appointed as hereinbefore provided to fill the vacancy supplied by such temporary appointment.

1. The salary of a person appointed to officiate as Lieutenant Governor is regulated in the same way as the salary of a person appointed under this Section, to be a temporary Member of Council.

High Court Judges

Section **35**.—An officiating Chief Justice, or Judge, of any High Court, or of the Chief Court of the Punjab, is entitled to the full pay of the appointment.

Law Officers.

Section **36**.—An officiating Law Officer, who is not subject to the Rules in Supplement C to the Civil Leave Code, draws, as acting allowance, the difference between the allowance attached to the appointment and the portion of it drawn by the absentee for whom he officiates.

Section **37**.—The undermentioned officers, officiating or substantive, are entitled to minimum salaries as follows:—

	Rs.
Accountant General in Bengal, Madras or Bombay	1,500
Accountant General in the North-Western Provinces or in the Punjab ...	1,200
Accountant General (or Deputy Accountant General in independent charge) in British Burmah	1,000
Deputy Accountant General (in independent charge) in the Central Provinces, Assam, Hyderabad or Mysore	800
Controller of Public Works Accounts in Bengal, Madras, or Bombay	950
Controller of Public Works Accounts in the North-Western Provinces or the Punjab	900
Uncovenanted Medical Officer in medical charge of a civil station	350
Supernumerary Deputy Collector in Sind	400

Sections 35—37.

Exceptional cases.

Extra Assistant Commissioner, 3rd class, in British Burmah	75
Extra Assistant Commissioner, except as above, and in the Kumaon and Ghurwal districts	200
An Assistant Superintendent of Police serving in the hill tracts of the District of Ganjam, in the Parvatipur and Nursipatam divisions of the District of Vizagapatam and in the Wynaad division of the District of Malabar ...	Full pay of the office in which he is serving.
An Assistant Superintendent of Police, serving elsewhere, except those promoted from lower grades	200
Assistant Patrol in the Inland Customs Department	100
Probationary assistant to the Collector of Salt Revenue in Bombay:	
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Sub-Assistant Conservators, Forest Department (if the Government of India in the Revenue Department think it necessary)	200

1. The maximum salary of an officiating Naib Tahsildar in the Punjab is thirty rupees.

Section **38.**—For the following cases there are special Rules:—

(*a.*) A Clergyman appointed to perform the duties of a Chaplain on the regular establishment is entitled to an allowance of Rs. 100 a month.

(*b.*) An Assistant Surgeon officiating for or appointed to do the duties of a Civil Surgeon is entitled to an allowance in addition to his pay as follows:—

If he be in the first or second grade:—Rs. 150 a month (but he must forfeit the Punjab allowance of Rs. 50 a month, if he has it).

If he be in the third grade:—Rs. 100 a month.

If the Civil Surgeon retains visiting charge of the Station, the Assistant Surgeon is entitled to half these allowances.

[NOTE.—These allowances are local allowances.]

(*c.*) A graded officer of the Geological Survey may, on the occurrence of a temporary vacancy in the graded list of the Department, be temporarily allowed a salary equal to the pay to which he might, under the Rules of the Department, have been promoted if the vacancy had been permanent.

(*d.*) An Acting Supernumerary Deputy Collector in Sind, officiating as Deputy Collector, is entitled in addition to salary as Acting Supernumerary Deputy Collector, to an allowance of two-thirds of the difference between this salary and the pay of the grade in which he officiates.

APPENDIX.

EXTRACTS.

1.

Extract from the Rules of the appointments, &c., of officers of the Forest Department under the control of the Government of India.

(I.)—(Rule XII of 1869 modified by the Resolution of the Government of India in the Department of Revenue, Agriculture and Commerce, No. $\frac{5}{290-301}$, dated the 18th March 1875). As a Rule, all officiating appointments to the office of Conservator, Deputy and Assistant Conservators will be made to the lowest grade, and in such cases the salary of the officiating officer will be the pay of the lowest grade of the office in which he officiates. The numbers in the grades of Deputy and Assistant Conservator being however now fixed, it has been decided as a temporary arrangement, which, it must be clearly understood, will not be continued after the establishment has been re-organised, to permit officers of one grade to act in temporary vacancies that may occur in higher grades within the classes of Assistant and Deputy Conservators, and to extend to the officers of the Forest Department the concession granted to officers of the Survey Department in the Rules contained in Sections 16 and 17 of the Acting Allowance Code.

(II.)—(Rule XIII of 1869 unaltered). If in any special case an officiating appointment is made otherwise than to the lowest grade or class of Assistant or Deputy Conservator, or Conservator, the salary of the officiating officer will be regulated by the ordinary Rules regarding acting allowance, or will be fixed specially by the Government of India.

2.

Extract from the Telegraph Code, Chapter D.

VIII.—A Superintendent holding charge of two Divisions will receive an allowance of Rs. 100 a month, and any Assistant Superintendent in charge of two Sub-Divisions, Rs. 50 a month. This, however, is only to be allowed under special circumstances, and as a temporary arrangement, and must be reported to the Government of India for confirmation.

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